



(17) A Bill further to amend the Deccan Agriculturists' Relief Act, 1879—Motion for leave to introduce the Bill—Mr. L. B. Bhopatkar, M.L.C.

(18) A Bill further to amend the Bombay Prevention of Gambling Act, 1887 Motion for leave to introduce the Bill— Mr. S. K. Bole. M.L.C.

(19) A Bill further to amend the Bombay Prevention of Gambling Act, 1887 Motion for leave to introduce the Bill— Mr. J. Addyman, M.L.C.

## XII. MOTIONS TO AMEND STANDING ORDERS:

Motions which have been referred to the Select Committee (Motions Nos. II, III, IV and V of 1925) *Second Reading.*

Notices of amendments\* have been received from

(i) Mr. R. G. Pradhan, M.L.C.

(ii) Mr. S. S. Dev, M.L.C.

Motion\* No. I of 1926 by Mr. S. S. Dev, M.L.C.

## XIII. DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST.†

*Resolution‡ by Maulvi Rafiuddin Ahmad, M.L.C.*

1. "This Council recommends to Government that all ancient mosques and mausoleums in the possession of Government in the districts of East and West Khandesh should be restored to the Mahomedan community to be utilised by them for the purposes for which they were originally constructed."

*Resolutions by Rao Saheb D. P. Desai, M.L.C.*

1. "This Council recommends to Government that the recommendations regarding the pay of primary teachers made by Messrs. Sathe and Paranjpye should be put into force without delay."

2. "This Council recommends to Government that major irrigation works may be constructed in the famine stricken parts of Gujarat."

*Resolution by Pir Rasulkash Shah, M.L.C.*

1. "This Council recommends to His Excellency the Governor in Council that the prisoners named below who are at present undergoing their sentences in connection with the case known as 'Malegaon Riot case of 1921' be released forthwith and their unexpired sentences be remitted :—

1. Babu Imambux.
2. Babu Alahdin.
3. Mohammed Hussain Budroddin.
4. Mohammed Yusuf Buddhu.
5. Amis Noor Mohammed.
6. Abdul Wahid Mohammed Sardar.
7. Ayub Phikoo.
8. Haji Salamtullah Nadar.
9. Mohammed Sidik Mohammed Ali."

\* Printed as appendix to this Agenda.

† Resolutions are arranged according to the order of priority determined by ballot.

‡ Resolutions are arranged in the order of priority.



*Resolutions by Mr. V. N. Jog, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

3. "This Council recommends to Government that a separate University be established for the Bombay Karnatak at Dharwar."

4. "This Council recommends to Government that a Committee of experts be appointed to make enquiries and to report on the possibility of developing Karwar or Bhatkal as ports."

5. "This Council recommends to Government that in view of the area, population, revenue and other circumstances of the district of Dharwar, they may be pleased to move the Government of India to allot at least three seats in the Bombay Legislative Council for the Dharwar district."

6. "This Council recommends to Government that a Committee with a non-official majority be appointed to enquire into and report on the question and rules of suspension and remission of land revenue with a view to give more adequate and equitable relief to the ryots in this presidency in cases of partial or total failure of crops."

7. "This Council recommends to Government that a medical school be established in some suitable place in the Bombay Karnatak."

8. "This Council recommends to Government that the English Middle School for girls at Dharwar be raised to a full High school."

9. "This Council recommends to Government that a technical school be established at some suitable place in the Bombay Karnatak."

10. "This Council recommends to Government to represent to the Government of India that with a view to develop the Karnatak, the following railway lines be forthwith undertaken:—

Haveri to Havanur (Dharwar District),

Haveri to Kumtha,

Hubli to Karwar."

11. "This Council recommends to Government that as urged by the non-official Police-Torture-Inquiry-Committee, appointed at a public meeting of the citizens of Dhulia, in their representations to Government dated 30th September 1925 and 19th December 1925, an independent tribunal consisting of the Honourable Members Mr. G. B. Pradhan, Rao Saheb Dadubhai P. Desai and Mr. N. E. Navle with Mr. Pradhan as chairman be appointed to inquire into the reports of alleged torture and extortion by the Police at Mehunbara, Pachora and adjoining villages in East Khandesh and to report thereon."

*Resolutions by Khan Sahib A. M. Mansuri, M.L.C.*

1. "This Council places on record its high appreciation of the services rendered by the Honourable Sir Henry Lawrence, K.C.S.I., as Finance Member of Council."

2. "This Council recommends to Government to count for purposes of increment the past services of those primary teachers who had resigned on account of the Non-co-operation movement and who have rejoined as primary teachers in view of the fact that Government have ruled that the past services of teachers who have reverted from National Schools shall count for increment of their salaries."

3. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye Scheme from March 1923."

4. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of Forest produce, including grazing fees, which have been recently increased, be brought to their original level."

5. "This Council recommends to Government to establish a central Urdu Girls' School at Ahmedabad on the lines of the one at Poona."

6. "This Council recommends to His Excellency the Governor in Council that the prisoners named below who are at present undergoing their sentences in connection with the case known as "Malegaon Riot case of 1921" be released forthwith and their unexpired sentences be remitted :—

1. Baba Imambux.
2. Babu Alahdin.
3. Mohammed Hussain Budroddin.
4. Mohammed Yussuf Suddhu.
5. Amir Noor Mohammed.
6. Abdul Wahid Mohammed Sardar.
7. Ayyub Phikoo.
8. Haji Salamttullah Nadar.
9. Mohammed Sidik Mohammed Ali.

*Resolution by Mr. L. B. Bhopalkar, M.L.C.*

1. "This Council recommends to Government that as urged by the non-official Police-Torture-Inquiry-Committee, appointed at a public meeting of the citizens of Dhulia, in their representations to Government dated 30th September 1925 and 19th December 1925, an independent tribunal consisting of the honourable members Mr. G. B. Pradhan, Rao Sahab Dadubhai P. Desai and Mr. N. E. Nayle with Mr. Pradhan as chairman be appointed to inquire into the reports of alleged torture and extortion by the police at Mehunbara, Pachora and adjoining villages in East Chandesh and to report thereon."

*Resolutions by Moulvi Rafiuddin Ahmad, M.L.C.*

1. "This Council recommends to Government not to give contracts of coal or of any other article to any South African Company."

2. "This Council recommends to Government not to employ South Africans in Government service in this presidency in preference to Indians."

3. "That this Council recommends to Government to establish an Anglo-Urdu high school in Khandesh."

4. "This Council recommends to Government that criminal tribe settlements should not in future be handed over to any missionary body for management and that in the existing settlements no non-Christians should be compelled to attend Christian prayer meetings or Bible classes."

*Resolutions by Mr. G. I. Patel, M.L.C.*

1. "This Council recommends to Government to abolish the control of the Watch and Ward at Ahmedabad Station Yard and to establish the control of the department which used to guard the goods prior to the creation of the Watch and Ward."

2. "This Council recommends to Government that within two months of the close of every session they would be pleased to announce what action they have taken or propose to take on each of the decisions of the Council arrived at during that session."

3. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye Scheme from March 1923."

4. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

5. "This Council recommends to Government that as urged by the non-official Police-Torture-Inquiry-Committee, appointed at a public meeting of the citizens of Dhulia, in their representations to Government dated 30th September 1925 and 19th December 1925, an independent tribunal consisting of the honourable members Mr. G. B. Pradhan, Rao Saheb Dadubhai P. Desai and Mr. N. E. Navle with Mr. Pradhan as chairman be appointed to inquire into the reports of alleged torture and extortion by the police at Mehumbara, Pachora and adjoining villages in East Khandesh and to report thereon."

*Resolutions by Mr. Abdul Latif Haji Hajrat Khan, M.L.C.*

1. "This Council recommends to Government that a sum of rupees two lakhs to begin with be provided in the next year's budget for being utilised for better provision of infant and maternity welfare by grants-in-aid to existing approved institutions and organisations, such as maternity homes, maternity hospitals, infant welfare centres, movements promoting national baby week or health week celebrations, etc., that

need such help on the scale of not less than one-third of the annual expenditure approved by the civil surgeons of the districts."

2. "This Council recommends to Government that they may be pleased to open an Anglo-Urdu middle school at Sholapur immediately."

*Resolutions by Mr. S. S. Dec. M.L.C.*

1. "In view of the pecuniary hardship of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

3. "This Council recommends to Government that as urged by the non official Police Torture-Inquiry-Committee, appointed at a public meeting of the citizens of Dhulia, in their representations to Government dated 30th September 1925 and 19th December 1925, an independent tribunal consisting of the Honourable members Mr. G. B. Pradhan, Rao Sahib Dadabhai P. Desai and Mr. N. E. Navle with Mr. Pradhan as chairman be appointed to inquire into the reports of alleged torture and extortion by the police at Mehunhara, Pachora and adjoining villages in East Khandesh and to report thereon."

4. "This Council recommends to Government that in view of the population of, and the number of voters in, the non-Mahomedan rural constituency of the district of West Khandesh, they may be pleased to move the proper authorities to allot two seats in the Bombay Legislative Council to that constituency."

5. "This Council recommends to Government that they may be pleased to revise the existing partition of Khandesh and readjust it by transferring Amalner, Parola and Chalisgaon talukas to West Khandesh."

6. "This Council recommends to Government to suspend the introduction of the revised rates of assessment in the Sindkheda taluka in the West Khandesh district, till legislative or other action is taken by Government on the resolution passed by this Council on the 15th March 1921, regarding the revision of the land revenue assessment."

7. "This Council recommends to the Governor in Council to appoint forthwith a small committee, with a non-official majority, to investigate into the causes of the discontent prevailing among those khatedars in the Mulshi Peta whose lands are being acquired for the Nila Mula project, and to report thereon."

8. "This Council recommends to Government that all lands situated in the villages of Mulshi Peta, which are above the contour line of the Nila-Mula project of the Tata Power Co., Ltd., and have been rendered useless to the owners or have deteriorated in value on account of the said project be acquired under the Land Acquisition Act at the rates at which the adjoining lands to be submerged under water are being or have already been acquired."

9. "This Council recommends to Government that the orders prohibiting school boys in Government and aided institutions from attending public meetings be at once rescinded."

10. "This Council recommends that Government be pleased to give substantial monetary help to the Shreemati Nathubai Damodhar Thackersey Indian Women's University, as a mark of appreciation of their efforts in conducting for the last eight years the very useful and important experiment of imparting secondary and higher education to women through the medium of the vernacular and that this help be given without imposing any such restrictions as may interfere with the internal administration of the said university."

11. "This Council recommends to Government that they be pleased forthwith to appoint for each district in the Presidency a mixed committee of officials and non-officials with a majority of non-officials, including all the elected members of the Legislative Council for the districts, the committee having power to elect its own chairman, in order to investigate into the economic condition of the people of the district."

12. "This Council recommends to Government that they be pleased forthwith to appoint for each district in the Presidency a mixed committee of officials and non-officials, with a majority of non-officials, including all the elected members of the Legislative Council for that district, the committee having power to elect its own chairman, in order to ascertain the grievances of the people and to report thereon suggesting remedies where possible."

13. "This Council recommends that Government be pleased to authorise district officers to supply the members of this Council such information of public interest as they may seek from such officers."

*Resolutions by Mr. S. K. Bole, M.L.C.*

1. "This Council recommends to Government not to give any grant to the municipalities and local boards which refuse to give effect to the resolution passed by this Council allowing to members of the depressed classes the use of wells, tanks, water taps, dharamshallas, dispensaries and schools built and conducted by such local bodies."

2. "This Council recommends to Government to permit at least two persons from the non-Brahmin backward classes to work as Mukhtyars in all the courts of Mamlatdars and Mahalkaris and to appear before Collectors and Assistant and Deputy Collectors where there is not an adequate number of pleaders belonging to these classes in the Central and Southern Divisions and in the Thana District."

*Resolutions by Mr. H. B. Shrivdasani, M.L.C.*

1. "This Council recommends to Government that all restrictions on the transport of cotton by road in the Surat district should be removed, the transport of cotton by rail being prohibited by creating two or more zones under the Cotton Transport Act as amended in the year 1925."

2. "This Council recommends to Government—

(a) that an amount of Rs. 3,66,100 which represents the difference between the receipts from *himayat* assessment on tanks in the Surat district for the ten years 1913-14 to 1922-23, *etc.*, Rs. 4,37,166 and the amount spent on the repair of those tanks in the same period, *viz.*, Rs. 70,766 be spent in the next three years on the special repair of tanks in the Surat district.

(b) that to limit the amount spent in any year in repair of tanks in a district should not be less than the amount realised as *himayat* (water rate) a percent from the tanks of the district in that year."

3. "This Council recommends to Government that in view of the pecuniary hardships which primary teachers have to undergo, their pay should be revised and they should be given pay according to the Sathé Paranjyee code."

4. "This Council recommends to Government that for the better conduct of the criminal and revenue administration of the Bombay presidency the following changes should be made:

(1) Revenue officers should exercise no powers under the law relating to crimes;

(2) The plaint officers, that is, sub-divisional officers should be abolished, the Collector being given a personal assistant where necessary."

5. "This Council recommends to Government that Revenue Commissionerships be abolished."

6. "This Council recommends to Government that in applying the provisions of the Race Course Licensing Act III, 1912, the following principle should be given effect to:

(1) No new race courses should be licensed hereafter without previously obtaining the concurrence of this Council by a resolution.

(2) Except in the race courses at Bombay and Poona no totalisator or other means of betting shall be permitted in any license."

7. "This Council recommends to Government that in renewing the licence of the Western India Turf Club, it shall be provided that—

(a) the number of meetings in Bombay and Poona together may not exceed 20;

(b) that totalisator tickets may not be sold for less than Rs. 10 nor for more than Rs. 50 for a single event to a single person;

(c) and that no such ticket may be sold or dividend paid to any person under 21 years of age."

#### *Resolution by Mr. Noor Mahomed, M.L.C.*

1. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, be brought to their original level in the whole of the presidency, including Sind."

*Resolutions by Mr. R. G. Sopan, M.L.C.*

1. "This Council recommends to Government that an Ayurvedic College be established as early as possible at a convenient place in the Presidency."

2. "In view of the pecuniary hardships of the primary teacher, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye scheme from March 1923."

3. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kind of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolutions by Mr. S. N. Anquadi, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolution by Mr. R. D. Shinde, M.L.C.*

1. "This Council recommends to the Governor in Council that fifty per cent. of all future vacancies in all the provincial services should be given to qualified candidates from Non-Brahmin Hindu communities."

*Resolutions by Mr. J. C. Swaminarayan, M.L.C.*

1. "This Council recommends to Government to appoint a committee of officials and non-officials to enquire into the grievances of the cultivators of talukdari, inamdari and khoti villages of the Bombay Presidency and to recommend legislation for their removal."

2. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye scheme from March 1923."

3. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

4. "This Council recommends to Government that the liquor shop at Saraspur, a suburb of Ahmedabad, which is situated in front of the well of the suburb, be forthwith removed from its present location."

5. "This Council recommends to Government to amend the orders passed in Government memorandum No. 2939-N, dated 27th March 1924, Public Works Department, and exempt local board officials and

servants from paying tolls on provincial roads, in the same way as Government servants have been exempted from paying tolls on local fund roads."

6. "That in view of the fact that the number and the quality of milch animals are already inadequate for a sufficient supply of milk required by the people of the province of Bombay and those of plough cattle and draught cattle are altogether inadequate for cultivation and other necessary purpose, this Council recommends to Government that the present practice of indiscriminate slaughter of cattle be discontinued and that rules be at once framed and enforced throughout the province for stopping the slaughter of

- (a) animals which are pregnant or in milk ;
- (b) all cows ;
- (c) breeding bull, draught and plough bulls and bullocks ;
- (d) all animal other than sheep or goat, which are under the age of nine years ;

and that the existing law on the subject be so amended as to give effect to this resolution."

7. "This Council recommends to Government to take all necessary steps for the development of the Ayurvedic and Unani systems of medicine."

8. "This Council recommends to Government that an Ayurvedic and Unani college be established at a convenient place in the presidency."

*Resolutions by Mr. M. S. Khuhro, M.L.C.*

1. "This Council recommends to Government that the control of fisheries in the local board areas be immediately transferred to the district local boards."

2. "This Council recommends to Government that a committee consisting of officials and non-officials, with a clear majority of the latter, be appointed to enquire into the grievances of the agriculturists about the measures adopted by the Forest Department in Sind."

*Resolution by Kazi Inaitullahkhan, M.L.C.*

1. "This Council recommends to His Excellency the Governor in Council that the prisoners named below who are at present undergoing their sentences in connection with the case known as 'Malegaon Riot case of 1921' be released forthwith and their unexpired sentences be remitted: -

- 1. Babu Imambux.
- 2. Babu Alahdin.
- 3. Mohammed Hussain Budroddin.
- 4. Mohammed Yussuf Suddhu.
- 5. Amir Noor Mohammed.
- 6. Abdul Wahid Mohammed Sardar.
- 7. Ayyub Phikoo.



8. Haji Salamtullah Nadar.
9. Mohammed Sidik Mohammed Ali." •

*Resolutions by Rao Bahadur S. T. Kamblī, M.L.C.*

1. "This Council recommends to Government that tolls be abolished on the Provincial and Imperial roads."
2. "This Council recommends to Government that tolls be abolished on Local Board roads."
3. "This Council recommends to Government that grazing fees be reduced to their old level."
4. "This Council recommends to Government that a committee with a non-official majority be appointed to inquire into and report on the question and rules of suspension and remission of land revenue with a view to give more adequate and equitable relief to the ryots in this presidency in cases of partial or total failure of crops."
5. "This Council recommends to Government that a medical school be established at Hubli."
6. "This Council recommends to Government that a separate University be established for the Bombay Karnatak."
7. "This Council recommends to Government to recommend to the Government of India that Hubli be joined to Mangalore by a railway line *via* Karwar."
8. "This Council recommends to Government that a committee of experts be appointed to make enquiries and to report on the possibility of developing Karwar or Bhatkal as ports."
9. "This Council recommends to Government that steps be taken to arrange for the running of fast trains between Gadag and Hotgi."
10. "This Council recommends to Government that a representation be made to the Government of India to form a separate province for the Kanarese-speaking districts of this presidency and of the Madras presidency."

*Resolutions by Mr. A. N. Surve, M.L.C.*

1. "This Council recommends to Government to introduce legislation for the registration of money lenders in order to check the malpractices of Pathans and other unscrupulous money lenders resulting in the exploitation and molestation of the ignorant working class people."
2. "With a view to make the Corporation really democratic this Council recommends to Government that legislation should be undertaken for widening the municipal franchise in the city of Bombay so as to entitle persons paying Rupees five and over per month as rent to vote."
3. "This Council recommends to Government to undertake legislation for redistributing the seats in each ward of the city of Bombay according to the numerical voting strength."

4. "This Council recommends to Government to build a bridge over the Ambhaan creek to afford to people residing in the island of Dharavi means of easy communication with Salsette."

5. "This Council recommends to Government to take steps—legislative or administrative—to secure the gradual curtailment of the vice of prostitution in the brothels eventually leading up to statutory abolition of brothels in the urban area including the city of Bombay."

6. "This Council recommends to Government to represent to the authorities concerned the necessity of reducing the fares on the B. B. & C. I. Railway lines in the same way as has been done by the G. I. P. Railway."

*Resolutions by Mr. A. E. Patil, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathé-Paranjpye scheme from March 1923."

2. "This Council recommends to Government to count for pension and promotion the past services of those teachers of local board and municipal schools who had formally resigned and gone over to national schools which have been subsequently taken over by the local authorities and who have since continued in the service, considering the intervening period of absence as leave without pay, as has been done in the case of primary school teachers who had gone over to national schools without formally resigning."

*Resolution by Mr. D. R. Patil, M.L.C.*

1. "This Council recommends to Government that the principles of the revision of land assessment should be settled at an early date in the light of the recommendations of the Joint Parliamentary Select Committee and that the revisions of assessment that are yet to be either undertaken or made final should neither be undertaken nor made final otherwise than according to the principles that may be settled as above."

*Resolutions by Mr. V. R. Kothari, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathé-Paranjpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolutions by Mr. D. N. Patel, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers •

should be paid according to the Sathe-Paranjpye scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolutions by Khan Bahadur D. B. Cooper, M.L.C.*

1. "This Council recommends to Government that in order to relieve the agriculturists of distress caused by constant scarcity of rains and famine, the construction of minor irrigation works in the Eastern parts of the Satara district be immediately taken in hand, and that amongst these works the construction of the Goregaon tank in the Khanapur taluka should be taken in hand at the first opportunity."

2. "This Council recommends to Government that a sufficient staff be employed under the control of the Agricultural Department to render assistance to the agriculturists of this presidency for marketing of their produce and to afford facilities for the safe transporting of vegetables and fruits by railway or steamer."

3. "This Council recommends to Government that Agricultural Development Associations should be started immediately in each taluka through the respective district local boards, and that a sufficient provision should be made for giving grants to the boards for the upkeep of such associations under the guidance of the Agricultural Department."

4. "This Council recommends to Government that a committee with a non-official majority be appointed to inquire into and report on the question and rules of suspension and remission of land revenue with a view to give more adequate and equitable relief to the ryots in this presidency in case of partial or total failure of crops."

5. "This Council recommends to Government that in order to give relief to the agriculturists of the presidency the following fees and fines, wherever they have been recently increased, be reduced to their original level:—

Grazing fees per head of cattle;

Fees per cart and head-load of grass;

Fees per cart and head-load of Anjan leaves;

Fees per cart-load of thorns;

Fees per cart and head-load of fuel;

Fees per cart-load of stones of various kinds; and

Fines per head of cattle impounded."

6. "This Council recommends to Government to take immediate steps to introduce standard weights and measures throughout the Presidency."

*Resolution by Mr. B. G. Pahalajuni, M.L.C.*

1. "This Council recommends Government to give immediate effect to the suggestion made by the Government of India to this Government in accordance with the resolution passed by the Legislative Assembly in February 1921 regarding the increase of the listed posts to 25 per cent. of the superior Civil Service posts in the Presidency."

*Resolutions by Mr. C. M. Saptarshi, M.L.C.*

1. "This Council recommends to Government to take early steps to separate the judicial and executive branches of the administration."

2. "This Council recommends to Government to take all possible steps to promote the development of the Ayurvedic and Unani systems of medicine and to establish college imparting instruction in those systems."

*Resolutions by Mr. Punjabhai Thakarsi, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolutions by Mr. Hoosseinbhoy A. Lalljee, M.L.C.*

1. "This Council recommends to Government that they be pleased to draw the attention of the Bombay Port Trust authorities to the necessity of providing at least during the Haj season a fixed berth with a suitable shed having necessary sanitary arrangements and refreshment rooms and medical inspection rooms for the convenience of Hajis with separate arrangements for women and children accompanying them."

2. "This Council recommends to Government that they be pleased to draw the attention of the Port Trust authorities to the necessity of providing a berth and a shed with necessary conveniences for passengers to and from Kathiawar, Cutch and the Persian Gulf ports during the passenger season."

3. "This Council recommends to Government that they be pleased to issue instructions to all the concerns managed by them not to purchase any Natal or South African coal."

4. "This Council recommends to Government that with a view to give direct representation to the rate-payers of Aden on the Settlement Committee in the management of the municipal affairs of the Aden Settlement, Government be pleased to introduce a bill on the lines of the Bombay District Municipal Act, 1901, or the Cantonments Act, 1924, at an early date."

5. "This Council recommends to Government that in view of the enormous growth of trade of the port of Aden during the last twenty years, they may be pleased to introduce a bill on the lines of the Karachi Port Trust Act, 1896, to allow for the representation of the various interests in Aden by election."

6. "This Council recommends to Government to appoint immediately a committee with a non-official majority to enquire into the problem of the growing unemployment in the city of Bombay, and to suggest means to remove it."

7. "This Council recommends to Government that they be pleased to depute an educational expert or experts, preferably one having some knowledge of Arabic, Urdu and Gujarati, to Aden with the object of reviewing the present state of education in Aden and to report, after consultation with the Arabs and Indians there, on the advisability of reorganising the whole system of education as existing there at present, with a view to improving the efficiency and standard of education and affording more facilities for secondary education."

8. "This Council recommends to His Excellency the Governor in Council that the prisoners named below who are at present undergoing their sentences in connection with the case known as "Malegaon Riot case of 1921" be released forthwith and their unexpired sentences be remitted:

1. Babu Imanibux,
2. Babu Allahdin,
3. Mohammed Hussain Budroddin,
4. Mohammed Yussuf Suddhu,
5. Amir Noor Mohammed,
6. Abdul Wahid Mohammed Sarlat,
7. Ayyub Plukoo,
8. Haji Salumtullah Nadar,
9. Mohammed Sidik Mohammed Ali.

9. "This Council recommends to Government that as urged by the non-official Police Inquiry Committee in their representations to Government dated 30th September 1925 and 19th December 1925 from Dhulia an independent tribunal consisting of the honourable members Mr. G. B. Pradhan, Rao Saheb Dadubhai P. Desai and Mr. Navle with Mr. Pradhan as chairman, be appointed to inquire into the reports of alleged torture by the Police at Mehunbara, Pachora and adjoining villages, and to report thereon."

*Resolution by Mr. J. Addyman, M.L.C.*

1. "This Council recommends to Government that necessary legislation be introduced to abate the nuisance caused by beggars and lepers in the city."

*Resolution by Sir Vasant Rao A. Dabholkar, M.L.C.*

1. "This Council recommends to Government that the stipendiary Presidency Magistrates in Bombay be granted house rent allowance on such scale as the Government may deem just and proper."

*Resolutions by Mr. K. F. Nariman, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers this Council recommends to Government that primary teachers should be paid according to the Sathu-Paranjpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce including grazing fees, which have been recently increased, be brought to their original level."

3. "This Council recommends to His Excellency the Governor in Council that the prisoners named below who are at present undergoing their sentences in connection with the case known as "Malegaon Riot case of 1921" be released forthwith and their unexpired sentences be remitted.

1. Babu Imambux
2. Babu Allahdin
3. Mohammed Hussam Budroddin
4. Mohammed Yusuf Suddhu.
5. Amir Noor Mohammed.
6. Abdul Wahid Mohammed Sardar.
7. Ayvub Phikoo.
8. Hap Salamtullah Nadar.
9. Mohammed Sidik Mohammed Ali."

*Resolutions by Mr. G. B. Paudyal, M.L.C.*

1. "This Council recommends to Government that in view of the importance of the Bombay Suburban District they be pleased to take such steps as may be necessary to secure a separate seat on the Bombay Legislative Council to that district over and above the two seats now allotted to the Thana district."

2. "This Council recommends to Government that in view of the great hardships to which the people staying at Badlapur and other neighbouring places are put they be pleased to construct high level bridges at these places on the river Ulhas, or compel the Tatu Company who allow the tail water to flow into this river to construct these bridges."

3. "This Council recommends to Government that in view of the great hardship caused to the inhabitants of Dharavi island they be pleased to construct a bridge over the Ambavni creek at Gorai, to meet the repeated demand of the people staying in those places."

*Resolutions by Dr. M. M. Mehta, M.L.C.*

1. "This Council recommends to Government that graduates of the Bombay University duly qualified in Hygiene, Medicine and Surgery be appointed as Assistant Directors of Public Health on the same pay and with the same status as members of the Bombay Medical Service to as

many districts as the provision in the budget sanctioned under this head would allow, with the least possible delay."

2. "This Council recommends to the Government that they be pleased to take all the necessary measures, for securing and proper working of the School Boards and particularly that of Surat Municipality, by cancelling all nominations, where elections have fulfilled all conditions laid down in the Primary Education Act, 1923."

3. "This Council recommends to Government to count for purpose of increment the past services of those primary teachers who had resigned on account of the non-co-operation movement and who have rejoined as primary teachers, in view of the fact that they have ruled that the past services of teachers who have reverted from national schools shall count for increment of their salaries."

4. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye scheme from March 1923."

5. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

6. "This Council recommends to Government that as urged by the non-official Police Torture Inquiry Committee, appointed at a public meeting of the citizens of Dhulia, in their representations to Government dated 30th September 1925 and 19th December 1925, an independent tribunal consisting of the honourable members Mr. G. B. Pruthi, Rao Saheb Dadubhai P. Desai and Mr. N. W. Navle with Mr. Pradhan as chairman be appointed to inquire into the reports of alleged torture and extortion by the police at Mehunhara, Pachera and adjoining villages in East Khandesh and to report thereon."

#### *Resolutions by Mr. G. M. Kalbhor, M.L.A.*

1. "This Council recommends to Government to exercise their power of appointing trustees to Devasthanans the management of which is entrusted to trustees, and in exercising such power to make the appointments from the non-Brahmin communities."

2. "This Council recommends to Government to make transfers of Revenue Officers from Prant Officers to Talatis at least every fourth year."

3. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

4. "This Council recommends to Government that a Committee of Councillors with a non-Brahmin majority, be appointed to enquire into the grievances of non-Brahmin Government servants in the several departments of Government."

*Resolutions by Mr. N. L. Nakh, M.L.C.*

1. "This Council recommends to Government that as the system of rationing is not giving satisfactory results they should adopt a definite excise policy so as to make the Bombay Presidency dry within ten years."

2. "This Council recommends to Government that they should immediately appoint a committee to consider the ways and means to make up the financial loss that will be caused by a definite excise policy on making the Presidency dry, as promised by them when accepting Mr. R. G. Pradhan's resolution to that effect."

3. "This Council recommend to Government that they should be pleased to reduce the grazing fees in the Ahmednagar District to their original level in view of its general famine-stricken condition."

4. "This Council recommends to Government to declare that the District School Boards in each District are in no way subordinate to the District Local Boards except in matters in which the Primary Education Act expressly says so, and that the chairman of the District School Board has a status equal to that of the President of the District Local Board, and has a right to draw a travelling allowance equal to that of the President, and if necessary to amend the Primary Education Act accordingly."

*Resolutions by Mr. R. G. Pradhan, M.L.C.*

1. "This Council recommends to Government that immediate steps should be taken to give full effect to the recommendations of the Vidweshwarayya Committee on Technical Education."

2. "This Council recommends to Government to appoint a committee of members of this Council, with power to co-opt a few members from outside the Council, to investigate the question of cow-killing, and to report on the measures that should be taken to prevent or restrict the slaughter of kine with due regard to the sentiments, habits and prejudices of the various communities in this province, and to the interests of agricultural economy."

*Resolutions by Dr. M. K. Dixit, M.L.C.*

1. "This Council recommends to Government to cancel the appointment of the three members nominated by them on the School Board of the Surat Municipality."

2. "This Council recommends to Government that the primary school teachers be paid according to the Sathe-Paranjpye Scheme at an early date."

3. "This Council recommends to Government that all difficulties in the way of the cultivators of the Surat District in sowing cotton seed No. Selection I-A be removed and they be freely allowed to sow this particular seed."



1. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

5. "This Council recommends to Government to count for purposes of increment the past services of those primary teachers who had resigned on account of the non-co-operation movement and who have rejoined as primary teachers, in view of the fact that Government have ruled that the past services of teachers who have reverted from national schools shall count for increment of their salaries."

*Resolutions by Mr. N. A. Abdulparker, M.L.C.*

1. "In view of the pecuniary hardship of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolutions by Mr. M. B. Powar, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolution by Mr. Hoosenally M. Rahimtulla, M.L.C.*

1. "This Council recommends to Government to represent to the Government of India the necessity of amending the Bombay Electoral Rules\* by deleting Rule 6 (f) (b), which makes it incumbent on a candidate from a general constituency or of a division any part of which is included in that constituency to be a resident of that constituency for at least six months immediately prior to the nomination day."

*Resolutions by Dr. M. B. Velkar, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

*Resolutions by Mr. M. D. Kurki, M.L.C.*

1. "This Council recommends to Government that an Ayurvedic college be established as early as possible at a convenient place in the Presidency."

2. "This Council recommends to Government that a new road to the extent of 7 miles be opened between Tolson in Honavar taluka and Kodigadde in Siddapur taluka of the Kanara district to connect the existing 12 mile road from Honavar to Tolson and the existing 23 miles road from Siddapur to Kodigadde and Doddamane and that the whole of the said road from Honavar to Siddapur be taken over by the Public Works Department and be made a convenient and well constructed one for encouraging and facilitating the traffic between the two important talukas of Honavar and Siddapur."

3. "This Council recommends to Government that with a view to reducing the extravagant cost of forest administration the number of divisions in Kanara should be reduced the minor forest division being abolished and the other divisions being reduced to two."

4. "This Council recommends to Government that the post of the Chief Conservator of Forests be forthwith abolished."

5. "This Council recommends to Government that further recruitment from outside to fill the posts of divisional forest officers in the presidency be stopped and that senior rangers be appointed henceforth to those posts."

6. "This Council recommends to Government that the system of levying grazing fees on cattle be abolished in Kanara."

7. "This Council recommends to Government that with a view to relieving the villagers of Kanara from the innumerable difficulties to which they have been put on account of the pressure of forests proper on their village sites and to averting such difficulties arising in future, the existing proper forests within the distance of from half a mile to one mile from the village sites should either be converted into betas or minor forests, as the case may be, and that no land within that distance should in future be made a proper forest."

8. "In view of the pecuniary hardships under which the primary teachers in the presidency are labouring, this Council recommends to Government that they (primary teachers) should be paid according to the Sathé-Paranjpye Scheme from March 1923."

9. "This Council recommends to Government that a committee with three-fourths non-official majority be appointed to consider and report on the present rules regarding the suspension and remission of land revenue and to suggest what changes it is desirable to make in them."

10. "This Council recommends to Government that Revenue Commissionerships should be abolished."

11. "This Council recommends to Government that, in order to allay the hardship and irritation caused to the poorer classes of people of Kanara who are accustomed to eat the pith of the 'Tali-palm' tree

on account of the increase in the fees, the present fee of Rs. 1 per tree be reduced forthwith to Re. 1."

12. "This Council recommends to Government that in order to allay the discontent prevailing among the gardeners of the above-ghat taluka of the Kanara district on account of the 'Betta' rules ( vide Revenue Department Notification No. 7193, dated the 16th April 1923) a modified up to date, the said rules be, after consulting the leading gardeners in the various talukas, so revised as to meet their wishes."

13. "This Council recommends to Government that a bridge or a high level causeway be built on the Badagani river at the Badagani ferry in the Honavar taluka in the district of Kanara."

14. "This Council recommends to Government that a bridge or a high level causeway be built on the Venkatapur river at the Venkatapur ferry in the petha of Bhatkal in the district of Kanara."

15. "This Council recommends to Government that the manufacture of *jagri* by the cultivators of Kanara be treated as an agricultural operation and that they be restored to their original position by the deletion of the words 'but not for the manufacture of *jagri*' appearing in sub-clause (a) of clause No. 1 of the present Kanara Forest Privilege Rules as published under notification No. 779 dated 16th April 1921 in the Revenue Department."

16. "This Council recommends to Government that in view of the peculiar circumstances under which the district of Kanara is placed, they may be pleased to move the proper authorities to allot two seats in the Bombay Legislative Council, one for the Karwar division and the other for the Sirsi division in that district."

17. "This Council recommends to Government that a small committee of officials and non-officials from the Kanara District be appointed with a majority of non-officials including the elected member of the Legislative Council for that district to investigate into the grazing problems in that district and to suggest ways and means for improved grazing there, such committee being given power to elect its own chairman."

18. "This Council recommends to Government that the proprietary rights over the 'bettas' assigned to the gardeners be conceded to them on conditions that they ('bettas') should go with the land for the benefit of which they have been assigned and that the living trees therein should not be cut without the permission of the mamlatdar or mahalkari as the case may be."

19. "This Council recommends to Government that in view of the fact that the present assignment of 'bettas' to the gardeners of the above-ghat talukas of Kanara has in many cases given rise to trouble and has thereby given a set-back to the garden industry, they should be pleased to call upon the said gardeners to submit their objections to the said assignment and after necessary enquiries re-assign proper, sufficient and convenient 'bettas' wherever necessary."

20. "This Council recommends to the Governor in Council that the new increased maximum rates of land assessment which have been

introduced in various parts of the presidency including Sind, after the publication of the Joint Parliamentary Select Committee's recommendation to regulate by statute the process of revising land assessment, should forthwith be withdrawn and the old rates be introduced in their stead."

21. "This Council recommends to Government that for the better conduct of the criminal and revenue administration of the Bombay presidency, the following changes should be made:

(1) Revenue officers should exercise no powers under the laws relating to crimes:

(2) The grant officers *i.e.* sub divisional officers, should be abolished, the Collector being given a personal assistant where necessary."

22. "This Council recommends to Government that in order to allay the discontent prevailing among the agriculturists of the presidency and to give them real relief, the following fees and fines, wherever they have been recently increased be reduced to their original level:

Grazing fee, per head of cattle,

Fees per cart and head load of grass;

Fees per cart and head load of Anjan leaves;

Fees per cart load of thorns;

Fees per cart and head load of fuel;

Fees per cart load of stones of various kinds; and

Fines per head of cattle impounded."

23. "This Council recommends to Government not to issue licenses for the sale of country liquor and toddy in villages having a population of five thousand or less after the expiry of the existing licenses."

24. "This Council recommends to Government that the four shanbhogs of the Honavar Taluka who were dismissed as ringleaders of the shanbhog strike in Kanara, during the year 1922, should either be forthwith reinstated in their posts or given pension as if they had retired in the ordinary course."

25. "This Council recommends to Government that Government servants of all grades should be ordered to wear their own national head-dress when they attend their offices and public functions."

26. "This Council recommends to Government that an expert Shikari of Kanara be appointed as a district shikari for destroying wild elephants in Kanara and that he be paid a monthly salary and also given an adequate reward for every elephant killed by him."

#### *Resolutions by Mr. S. A. Sardesai, M.L.C.*

1. "This Council recommends to Government not to recognise the adoption by a watandar holding a sanad under the Gordon Settlement of a person who is not a member of the watan family, without the unanimous consent of all the sharers of the watan and the consequent consent of Government."

2. "This Council recommends to Government to recommend to the Government of India to exempt all members and past members of the Bombay Legislative Council from the operation of the Arms Act."

3. "This Council recommends to Government to move the Government of India to exempt all Inamdars and Jahagirdars possessing at least one entire Inam village or paying Rs. 250 as Judi or land assessment from the operations of the Indian Arms Act, 1874."

4. "This Council recommends to Government to recommend to the Government of India to create a separate electorate of Inamdars and Sardars of the Karnatak districts, and to allow them to return at least one elected member to this Council from their constituency."

5. "Taking into consideration the pecuniary hardships of primary teachers in the presidency, this Council recommends to Government that primary teachers should be paid according to the Sathe-Paranjpye scheme from March 1923."

6. "This Council recommends to Government to raise the Anglo-Vernacular Girls' School of Bijapur to the status of a Girls' High School immediately and to appoint in that institution female teachers only."

7. "This Council recommends to Government to train a sufficient number of female teachers for girls' schools, as it is desirable to appoint only female teachers in girls' schools."

8. "This Council recommends to Government to reorganise the Public Health Department by the appointment in every district and major municipality of health officers and properly trained staff."

9. "This Council recommends to Government to open an industrial and technical school at Bijapur immediately."

10. "This Council recommends to Government to appoint a committee of official and non-official members of this Council with a majority of non-officials to enquire into the grievances of railway passengers of this presidency and to suggest measures with a view to redress the grievances experienced by them."

11. "This Council recommends to Government to open a combined Ayurvedic and Unani medical school for the Bombay Presidency at some suitable centre which may be developed into a college in due course."

12. "In view of the recurring famines in the Bijapur district, this Council recommends to Government to start without delay two irrigation schemes, viz., the Ghataprabha and Malaprabha, both of these being protective and productive."

13. "This Council recommends to Government to open a medical school at an early date at Hubli or some other suitable place in the Karnatak."

14. "This Council recommends to Government to establish three foreign scholarships, one for each of the three divisions (Southern, Central and Northern) of the presidency, for the study of journalism in America and Europe."

15. "This Council recommends to Government to abolish all tolls levied under Bombay Act III of 1875."

16. "This Council recommends to Government to move the Government of India to reduce the railway fares of third class passengers of B. B. & C. I. and G. I. P. and M. & S. M. Railways following the example of S. I. Railway."

17. "This Council recommends to Government to move the Government of India to continue the membership of this Provincial Council for five years instead of only three years as it is done up till now."

18. "This Council recommends to Government to open an Agricultural School at Bagalkot or some other suitable place in the Bijapur district immediately."

19. "This Council recommends to Government to move the Government of India to create a new province for the Karnatak districts, from the Kannada speaking parts of the Bombay and Madras Presidencies and Koorg."

20. "This Council recommends to Government that it may be pleased to take necessary steps to have at least two non-Mahomedan representatives in the Bombay Legislative Council from the Bijapur district."

21. "This Council recommends to Government to open a Second Grade Arts College at Bijapur immediately."

22. "This Council recommends to Government to establish an independent Karnatak University at Dharwar."

23. "This Council recommends to Government to arrange to run two fast trains on the Gadag-Hotgi section of the M. & S. M. Railway."

24. "This Council recommends to Government to open a Law College for the LL.B. course at Dharwar immediately."

25. "This Council recommends to Government to appoint a committee to enquire into and to report on the possibilities of opening Karwar as a harbour."

26. "This Council recommends to Government to recommend to the Government of India to connect Karwar port with Hubli by a railway line."

27. "This Council places on record its high sense of appreciation of the services rendered by the Honourable Member Sir Henry S. Lawrence to this presidency."

28. "This Council recommends to Government to provide a sum of Rs. 1,00,000 in the next Budget for the improvement of water supply in the Bijapur district."

29. "This Council recommends to Government to appoint a committee with a three-fourths non-official majority to consider and report on the present rules regarding the suspension and remission of land revenue and to suggest what changes it is desirable to make in them."

30. "This Council recommends to Government that for the better conduct of the criminal and revenue administration of the Bombay presidency, revenue officers should exercise no powers under the laws relating to crimes."

31. "This Council recommends to Government that in order to allay the discontent prevailing among the agriculturists of the presidency and to give them real relief, the following fees and fines which of late have been recently increased, be reduced to their original level."

Grazing fees per head of cattle ;  
Fees per cart and head-load of grass ;  
Fees per cart and head load of Anjan leaves  
Fees per cart-load of thorns  
Fees per cart and head load of fuel  
Fees per cart load of stones of various kinds ; and  
Fines per head of cattle impounded."

32. "This Council recommends to Government not to issue licences for the sale of country liquor and toddy in villages having a population of five thousand or less after the expiry of the existing licences."

33. "This Council recommends to the Governor in Council to represent to the Governor General in Council that the Electoral Rules should be so modified as to enable women to stand as candidates for the elections."

34. "This Council recommends to Government to take immediate steps for the introduction of Kanarese forms, posters, etc., in all the post offices of the Bombay Karnatak."

35. "This Council recommends to Government to issue order to hand over Rs. 10,000 out of the Recruiting Fund collected in the Bijapur District to the Pandurangrao High School for the purpose of erecting an additional block for the student."

36. "This Council recommends to Government that as urged by the non-official Police Torture Inquiry Committee appointed at a public meeting of the citizens of Dhule, in their representations to Government dated 30th September 1925 and 19th December 1925, an independent tribunal consisting of the Honourable Members Mr. R. G. Pradhan, Rao Sahib Dadubhai P. Desai and Mr. N. E. Navle with Mr. Pradhan as chairman be appointed to inquire into the reports of alleged torture and extortion by the Police at Mehunbara, Pachora and adjoining villages in East Khandesh and to report thereon."

37. "This Council recommends to Government to remit the remaining balance of Rs. 48,000 out of Rs. 96,000 which were paid to the Bijapur municipality as a grant-in-aid in 1912-13 on condition that it should be repaid if the water works worked at a profit."

#### *Resolutions by Mr. N. R. Gunjal, M.L.C.*

I. "This Council recommends to the Governor in Council that orders should be passed to restore the kulkarni watan system as it existed before the commutation of kulkarni watans."

"This Council recommends to the Governor in Council that patils given an annual income from Government of at least Rs. 300

either in cash or in land or partly in cash and partly in land to enable them to keep up their status."

3. "This Council recommends to the Governor in Council that to improve the condition of the agriculturists Government should remit permanently the land assessment to be paid by an agriculturist in any one village if it be below rupees eight a year."

4. "This Council recommends to the Governor in Council that permanent land revenue settlement should be introduced in this presidency."

5. "This Council recommends to Government that the photo copying system introduced recently in the registration department of this presidency be abolished forthwith and the old system restored."

6. "This Council recommends to Government that they should be pleased to issue directions to all heads of departments to reply directly to members of this Council if they ask for any information of public interest."

7. "This Council recommends to Government that early orders be issued to count the service of clerks on Rs. 15 in the Judicial Department from 1911 to 1920 for the purpose of granting increments."

8. "This Council recommends to Government that for the better conduct of the criminal and revenue administration of the Bombay Presidency the following changes should be made:-

(1) Revenue officers should exercise no powers under the laws relating to crimes.

(2) Commissionerships should be abolished.

(3) The prant officers, that is the sub divisional officers should be abolished, the Collector being given a personal assistant where necessary.

(4) The number of mamlatdars should be reduced by one-half, one mamlatdar being put in charge of two talukas and the pay and prospects of the mamlatdars be improved."

9. "This Council recommends that Government be pleased to give substantial help to the Shrimati Nathibai Damodar Thakerasay Indian Women's University as a mark of appreciation of their efforts in conducting for the last eight years the very useful and important experiment of imparting secondary and higher education to women through the medium of the vernaculars and that this help be given without imposing any such restrictions as may interfere with the internal administration of the said University or affect their independence."

10. "This Council recommends to the Governor in Council to reduce to one-half the minimum rates of house taxation prescribed in Government Notification No. 55-A dated 7th March 1922 regarding village panchayats with a view to increasing the number of panchayats in the presidency and popularising them and to substitute for the words 'capital value' occurring in the said Resolution the words 'market value'."



11. "This Council recommends to the Governor in Council that a committee with a non-official majority be appointed to enquire into the grievances of the agriculturists in the presidency regarding forced labour being exacted by touring officers and other Government servants and to suggest measures for the prevention of such practices."

12. "This Council recommends to the Governor in Council to appoint a committee with a non-official majority to enquire into the conditions and the present condition of the aboriginal tribe in the presidency and to suggest means for their uplift and amelioration."

13. "This Council recommends to Government that due steps be taken to put into execution the suggestion outlined in the Poona Dehsh scheme."

14. "This Council recommends to Government that in view of the pecuniary hardships of primary teachers, they should be paid according to the Sathe-Paranjpye Scheme from March 1923."

15. "This Council recommends to Government that, pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

16. "This Council recommends to Government that as urged by the non-official Police-Torture-Inquiry Committee, appointed at a public meeting of the citizens of Dhulia in their representation to Government dated September 1925 and 19th December 1925, an independent tribunal consisting of the Honourable Members Mr. G. B. Pradhan, R. S. Dalubhai P. Desai and Mr. N. H. Nayle with Mr. Pradhan as chairman be appointed to inquire into the reports of alleged torture and extortion by the Police at Mehunbara, Pachora, and adjoining villages in East Khandesh, and to report thereon."

17. "This Council recommends to Government to give pecuniary assistance to all the local boards in this presidency including Smach, by giving them a half share of the income of the Abkari, Forest, Jail, Registration and similar productive departments, for meeting the expenditure on compulsory primary education in their respective districts."

*Resolutions by Mr. P. G. Joshi, M.L.C.*

1. "This Council recommends to the Governor in Council that the new increased maximum rates of land assessment which have been introduced in the various parts of the presidency including Sind, after the publication of the Joint Parliamentary Select Committee's recommendations to regulate by statute the process of revising land assessment, should forthwith be withdrawn and the old rates be introduced in their stead."

2. "This Council recommends to the Governor in Council that the scale of pay suggested by the Honourable Messrs. Sathe and Paranjpye for teachers in the primary schools (known as the Sathe-Paranjpye Scheme) be brought into force immediately."

3. "This Council recommends to the Governor in Council to represent to the Governor General in Council that the Electoral Rules should be so modified so as to enable women to stand as candidates for Council elections in the Bombay presidency."

*Resolutions by Mr. H. H. Nandvala, M.L.C.*

1. "This Council recommends to Government that the present system of appointing Honorary Magistrates and Benches of Honorary Magistrate in the mofussil be forthwith abolished and in future such Magistrate or bench of Magistrates be appointed only on the recommendation of municipalities or district local boards concerned."

2. "This Council recommends to Government that they be pleased to vest all wells and tanks not constructed by the Irrigation Department, situated within the district local board limits in the local boards concerned."

*Resolutions by Mr. B. R. Nand, M.L.C.*

1. "In view of the pecuniary hardships of the primary teachers, this Council recommends to Government that primary teachers should be paid according to the Satho-Paranipye Scheme from March 1923."

2. "This Council recommends to Government that pending the report of the Forest Grievances Committee, the fees for the several kinds of forest produce, including grazing fees, which have been recently increased, be brought to their original level."

**XIV. PAPERS\* PRESENTED TO THE COUNCIL:**

(1) Report of the Select Committee on Motions to amend Standing Orders (Motion Nos. II to V of 1925).

(2) Proceedings of the meetings of the Finance Committee, October 1925.

(3) Report of the Select Committee on the Bill to consolidate and amend the law relating to the Courts in Sind (Bill No. XXIII of 1925).

(4) F. D. Note No. 3378B, dated the 19th December 1925 regarding the expenditure in connection with the purchase of sets of the new edition of the Bombay Code, Vols. I to V.

(5) F. D. Note No. 3868A dated the 6th February 1926 regarding the expenditure in connection with cattle pounds in Sukkur District.

(6) F. D. Note No. 4585A dated the 18th February 1926 in connection with Municipal taxes on Government Buildings in the city of Bombay.

(7) F. D. Note No. 4606A dated the 18th February 1926 in connection with the Grant-in-aid to the Pasteur Institute, Cooner.

N. J. WADIA,

Secretary to the Legislative Council

Bombay, 22nd February 1926.

of the Governor of Bombay.

\* Kept in Secretary's office.

## APPENDIX TO THE AGENDA.

## AMENDMENTS TO BILLS.

*Bill No. IV of 1925 (Sind Hindu Marriage Bill) as amended by the Select Committee.*

Notice has been received of the following amendments from Mr. P. G. Joshi, M.L.C. :—

1. *Delete* the words " so long as they remain Hindus from sub-clause (2) of clause 1.
2. *Delete* the words " domiciled in " and *substitute* the words " a permanent resident of " in sub-clause (b) of clause 2.
3. *Add* at the end of clause 4 the following words : " whatever may be the religion which he professed at the time of such second marriage ".
4. In clause 5,
  - (a) *Substitute* the words " the Court of Judicial Commissioner in Sind " for the words " such court ".
  - (b) *Delete* the words " on payment of rupee one ".
  - (c) *Add* at the end the following words : " in such court and a fee of one rupee shall be charged for every such entry ".
5. From clause 6, *delete* the words " by the subordinate civil court, in which the declaration was filed " and *substitute* the words " by the Court of Judicial Commissioner in Sind " therefor.
6. In paragraph 4 of Schedule I, after the words " said Act " *add* the words " shall be void and ".

N. J. WADIA,

Secretary to the Legislative Council  
of the Governor of Bombay.

Bombay, 12th February 1926.

## AMENDMENTS TO BILLS.

*Bill No. XXIII of 1925 (A Bill to consolidate and amend the law relating to the Courts in Sind) as amended by the Select Committee.*

Clauses.	Amendments.	Name of the mover.
Clause 4	In clause 4, sub-clause (2) (b), line 5, after the words "District Judge" <i>add</i> the words "in Sind".	Mr. H. B. Shivdasani.
	In clause 4, sub-clause (2) (c), in line 1 after the word "held" <i>add</i> the words "in Sind".	Mr. H. B. Shivdasani.
Do.	Line 37 (proviso).—After word "less" <i>add</i> words "nor more", and after "service" <i>add</i> "until the total number of judges exceed 6 when not more than $\frac{1}{2}$ shall be members of the Indian Civil Service".	Mr. B. G. Pahalajani.
	After first proviso, <i>add</i> : "the Chief Judge shall be a person of the description shown in sub-sections (a) and (d) of this section".	Mr. B. G. Pahalajani.
Clause 8	Clause 8, line 8.— <i>Remove</i> word "civil" and <i>insert</i> it before "jurisdiction", and <i>add</i> at the end of the clause "and shall perform all the functions of the District Court, where such court is specifically mentioned".	Mr. B. G. Pahalajani.
Clause 18	Clause 18.— <i>Make</i> (18) 18 (a) and <i>add</i> :—"18 (b) All advocates, pleaders, attorneys so admitted shall have power to contract in respect of litigation and otherwise".	Mr. B. G. Pahalajani.
Below clause 30.	Below clause 30:— "The power herein conferred on the Governor in Council shall not be delegated to the Commissioner in Sind".	Mr. B. G. Pahalajani.
Clause 37	<i>Delete</i> clause 37	Mr. B. G. Pahalajani.
Do.	Clause 37, line 13.— <i>Add</i> "if any" after "class".	Mr. B. G. Pahalajani.
Clause 41	Clause 41.—After clause (1):— "Such power shall not be delegated to the Commissioner in Sind".	Mr. B. G. Pahalajani.

## AMENDMENTS TO MOTIONS TO AMEND STANDING ORDERS.

(Motions Nos II to V of 1925 as amended by the Senate)

Motion No	Amend		
Motion No II of 1925	<p>1 (3) (d) and amend the Committee of the Council</p> <p>(b) If any candidate receives less than half the total number of valid votes cast in favour of him then the election shall be decided by the President and all the other candidates shall be eligible to stand in the next election. If no candidate obtains half the number of valid votes the President may declare a new election. The President shall declare the candidate elected. In any other case a fresh ballot shall be taken for the purpose of the fresh ballot the names of the candidates shall be arranged in the order of the number of votes obtained by each and the names of all candidates who failed to obtain a majority shall be omitted from the list of the fresh ballot. This process shall be continued until the President declares one candidate duly elected.</p> <p>In the event of an equality of votes or half the number of votes as the case may be the President shall have a casting vote.</p>		
Do	In 1 (4), for the word "during the continuance of that Council" the words "during the continuance of the session of the Council at which the member was elected Deputy President" shall be substituted.		
Motion No III of 1925	In VIII A Statutory Motions for the year 1925, the figure 8 shall be substituted		
Motion No IV of 1925	"In the motion to amend for the word 'six' substitute the word 'nine'"		

## MOTION No. I OF 1926.

Under Standing Order IX of the Standing Orders of the Bombay Legislative Council notice of the following amendment has been received from Mr. S. S. Dey, M.L.C.

(1) In Chapter VI add the following at the end of the Standing Order No. 1—

‘Questions which have not been so amended or disallowed within seven days of receiving them shall be taken as allowed.’

(2) In the same Chapter insert the following as Standing Order No. 10—

All questions of which notice has been given before the date appointed for any session of the Council to begin and which have not been disallowed, shall be either *ad interim* or final replies during that session.’

(3) In the same Chapter the present Standing Order No. 10 be numbered 11 and from that Order delete the first portion, may be put only in the form of a fresh question at subsequent meeting of the Council and *ad interim* for it

shall be taken as notice and shall be answered without further notice at a subsequent meeting of the Council.

N. J. WADIA,

Secretary to the Legislative Council.

Bombay 12th February 1926.

[22 FEB. 1926]

*Monday, the 22nd February 1926.*

The Council met at the Town Hall, Bombay, on Monday, the 22nd February 1926, at 2 p.m., the Honourable the President, Sir IBRAHIM AHIMTOOLA, K.C.S.I., C.I.E., presiding.

*Present :*

ABDUL LATIF HAJI HAJRAT KHAN, Mr.  
ABDULPURKAR, Mr. N. A.  
ABERCROMBIE, Mr. J. R.  
ADDYMAN, Mr. J.  
ADWANI, Mr. D. B.  
AHMAD, MOULVI RAFIUDDIN  
BHOPATKAR, Mr. L. B.  
BHURGRI, Mr. J. M.  
BHUTTO, Khan Bahadur S. N.  
BOLE, Mr. S. K.  
BUNTER, Mr. J. P.  
COOPER, Khan Bahadur D. B.  
DABHOLKAR, Sir VASANTRAO A.  
DADACHANJI, Dr. K. E.  
DEHLAVI, the Honourable Mr. A. M. K.  
DESAI, Rao Saheb D. P.  
DEV, Mr. S. S.  
DIXIT, Dr. M. K.  
FERNANDEZ, Dr. COSMAS  
FRAMJI, Mr. K. S.  
GHOSAL, Mr. J.  
GHULAM HUSSAIN, the Honourable Sir  
GUNJAL, Mr. N. R.  
HAJI KHAMISO GUL MAHOMED  
HAMID, M. ABDUL ALI, Mr.  
HARRISON, Mr. C. S. C.  
HATCH, Mr. G. W.  
HEPPER, Sir LAWLESS  
JADHAV, the Honourable Mr. B. V.  
JATOI, Khan Saheb HAJI SERAI IMAMBAKSH  
JATOI, WADERO KADIRBAKSH  
JEHANGIR, the Honourable Mr. COWASJI  
JOSHI, Mr. P. G.  
KALBHOR, Mr. G. M.  
KAMBLI, RAO BAHADUR S. T.  
KARKI, Mr. M. D.  
KAZI, INAITULLAKHAN  
KHUHHO, Mr. M. S.  
KOKANI, Mr. G. J.  
LALJI NARANJI, Mr.

LALLJEE, Mr. HOOSEINBHOY A.  
 LAWRENCE, the Honourable Sir HENRY  
 MASTER, Mr. A.  
 MAVALANKAR, Mr. G. K.  
 MCKEE, Mr. W. G.  
 MEHTA, Dr. M. M.  
 MEHTA, the Honourable Sir CHUNILAL  
 MONTGOMERIE, Mr. A.  
 MOUNTFORD, Mr. L. J.  
 MUJUMDAR, Sardar G. N.  
 MUKADAM, Mr. W. S.  
 NABIELVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NAVLE, Mr. N. E.  
 NEKALJAY, Mr. R. S.  
 OWEN, Mr. A. C.  
 PAHALAJANI, Mr. B. G.  
 PARANJPYE, Dr. R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATHAN, Mr. A. F. I. K.  
 PERCHVAL, Mr. P. E.  
 PETCH, Mr. F. W.  
 POWAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 RAHINTOOLA, Mr. HOUSENALLY M.  
 RIEU, the Honourable Mr. J. L.  
 SAHEBA, Mr. H. D.  
 SARDESAI, Mr. S. A.  
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.  
 SHINDE, Mr. R. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SURVE, Mr. A. N.  
 SURVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.  
 THAKOR of Amod, the  
 THOMAS, Mr. G. A.  
 VELKAR, Dr. M. B.  
 WEBB, Mr. M.  
 WILES, Mr. G.  
 WOODS, Mr. E. E.

The Honourable the PRESIDENT: Order, order. Swearing in of new members.

The following honourable members made the prescribed oath or affirmation of allegiance to His Majesty the King-Emperor, and took their seats in the Council:

The Honourable Mr. J. L. Rieu, C.S.I., I.C.S.



Mr. M. Webb, I.C.S.  
 Sir Lawless Hepper, Kt.  
 Mr. C. S. C. Harrison.  
 Dr. R. P. Paranjpye.  
 Mr. P. E. Percival, C.I.E., I.C.S.  
 Wadero Kadirbaksh Jatoti.

The Honourable the PRESIDENT: I have to announce the nomination of the following four honourable members to serve as chairmen for the current session :—

The Thakore of Kerwada.  
 Sardar G. N. Mujumdar.  
 Mr. B. K. Dalvi.  
 Mr. E. E. Woods.

The following acts have, since the close of the last session, received the assent of His Excellency the Governor General :—

- (1) An Act to impose a tax on totalisator betting.
- (2) An Act to consolidate and amend the law relating to Co-operative Societies in the Presidency of Bombay.
- (3) An Act to regulate and control certain contracts for the purchase and sale of securities in the city of Bombay and elsewhere in the Bombay presidency.
- (4) An Act further to amend the Bombay Act VIII of 1867, being an Act for the regulation of Village Police in the Presidency of Bombay.
- (5) An Act to amend the Bombay Children Act, 1924.
- (6) An Act further to amend the Bombay Act No. III of 1874.
- (7) An Act further to amend the City of Bombay Municipal Act, 1888.
- (8) An Act further to amend the Bombay Local Boards Act, 1923.
- (9) An Act to amend the Bombay Village Panchayats Act, 1920.
- (10) An Act further to amend the Bombay District Municipal Act, 1901.
- (11) The City of Bombay Improvement Trust Transfer Act.

Honourable Members are aware that His Excellency has intimated his intention of addressing the House and that he is arriving here at 2-20 for the purpose. I will therefore adjourn the House till 2-15, and I hope honourable members will be in their seats by that time.

The Council will now adjourn till 2-15 p.m.

The Council re-assembled at 2-15 p.m.

His Excellency the Governor was met by the President on his arrival. A procession of chobdars, His Excellency's staff, the President of the Council (the Honourable Sir Ibrahim Rahimtoola, K.C.S.I., C.I.E.) and His Excellency the Governor passed slowly up the Hall to the dais at 2-20 p.m.

His Excellency's staff stood in a semi-circle at the back of the dais behind the two chairs, His Excellency the Governor being on the right and the Honourable the President on the left.

The Honourable the PRESIDENT: Order, order. His Excellency will address the House.

**HIS EXCELLENCY'S SPEECH.**

Rising to address the Council. His Excellency said :—

Gentlemen, I welcome you again to Bombay for the budget session of the Council. It is a matter of congratulation that the year through which we have passed since I addressed the honourable members of the Legislative Council last, has been one of steady progress, and has also been remarkable for some important events in the political and economic history of the Presidency. From an economic point of view, the occurrence of most consequence was the removal of the Cotton Excise Duty—a duty which has always been a heavy tax on the most important commercial industry of the Presidency, and I am sure that we are all grateful to His Excellency the Viceroy for taking the important step which he did in issuing an Ordinance announcing the suspension of a duty which has been so grave a hardship to the mill industry of Bombay.

As regards domestic legislation, many important measures have been passed by the Council during this period, including the Improvement Trust and Major Municipalities Acts, both far-reaching in their purpose and effect. Government has made, in the Acts affecting local bodies, an important departure, removing not only the disqualification for election of political offenders as urged by the Council, but also the disqualification of all offenders, bringing the Act into conformity with similar measures in the most progressive countries.

With regard to the agricultural season which has just come to an end, I think it may be said that it has been, on the whole, neither very good nor very bad. Over the greater part of the Presidency the monsoon started most auspiciously, but from the end of July onwards the rain was deficient in Gujarat, and the rice crop especially suffered. The situation was retrieved to some extent by the late rains so far as the other crops were concerned. In the Konkan the rainfall was generally sufficient for the requirements of the crops, which are believed to have yielded nearly a normal return, but the Deccan and the Karnatak suffered from those vagaries which are usually experienced in these two divisions, especially on the eastern side. In Sind, also, the inundation was late, and terminated prematurely, with the result that the season has been a poor one for the rice crop, and only moderate for other crops. In those areas which have been unfortunately affected, relief has been promptly given by suspensions and remissions of revenue, and by providing funds for meeting the scarcity of drinking water. Repairs and boring of wells, and the sinking of new wells, have been pushed forward. Government have ready available large quantities of fodder in their stores, but so far there have not been any considerable demands. I should also like to add that the measures for the relief and prevention of famine, including minor irrigation schemes which have received the cordial approval of the Council are progressing satisfactorily.

The Agricultural Department has been making considerable progress in its endeavours to increase the value of the produce of the land, and holds out good promise of greater progress in the near future. Many honourable members of this House are doubtless aware, from personal experience of the great results which the Department has achieved in the sphere of cotton cultivation, and I am informed that the growing

of an improved variety of cotton seed distributed by the Agricultural Department has, in Gujarat alone, been estimated by a distinguished authority to mean an increase of thirty lakhs of rupees annually in the value of the crop in the last few years. Similar valuable results have been reached in the southern part of the Presidency, with the help of the Co-operative Cotton Sales Societies at Hubli and at Gadag, and the financial gain to the cultivators there is estimated at a similar amount. Another striking instance of the activities of this department has been the introduction of groundnut in Khandesh and Upper Gujarat. The area under this crop has increased from 4,000 to about 200,000 acres during the last twelve years, and, when it is realised that crops worth, say, Rs. 40 an acre have been replaced by crops worth from Rs. 80 to Rs. 100 an acre, the full value of this development will be realised.

It will be a great help to the Agricultural Department if honourable members will give their cordial and unanimous co-operation to the Agricultural Show which I hope to inaugurate in Poona during the coming season. I trust that this Show, by focussing attention on the progress so far achieved, and indicating the lines of further improvements, will be of lasting benefit to this Presidency, and I hope that all members of this House will see their way to help—and they can help a great deal—this work.

The most important duty which will, as always, devolve on the Council during this session is, of course, the discussion on the budget. It is not necessary for me to deal at any length with figures in detail, as the Honourable the Finance Member will put the whole budget before the Council in his budget statement, and full particulars are available to honourable members in the Blue and White Books.

The completion of the Accountant General's accounts for the year 1924-25 shows that we opened the current year with a balance very much larger than was anticipated when the Budget was placed before the Legislative Council. The reasons for this have been fully explained in the Note of the Finance Secretary, which has been printed in the Budget Blue Book. Apart from a temporary surplus of loan fund, there was a real increase of some 70 lakhs due to reduction in expenditure from the budgetted figure. The working of the administration in the current year will, it is anticipated, leave us with a small deficit in the Revenue Accounts, which is approximately the same as was shown in the Budget Estimates. This has been made possible, in spite of a poor season which involved us in a loss of revenue of some 40 lakhs, by a corresponding reduction in expenditure: details of this, honourable members will also find in the Blue Book. After the rejection of the Bills for further taxation last Budget session, reduction in the Estimates was immediately made of some 13 lakhs, distributed over various departments. We were, however, enabled to retain some very necessary items of non-recurring expenditure, which it would otherwise have been necessary to cut out, by the remission of 22 lakhs from our contribution to the Central Government. In spite of the increase in our normal expenditure by some 120 lakhs over the previous year, we have been able

to build up the Famine Fund by the close of the year to 194 lakhs, and, after meeting the annual instalment of 29 lakhs (in repayment of the pre-Reforms Provincial Loan Fund) and expending some 50 lakhs on Capital Civil Works, to close the year with an available balance of 3½ crores.

The deficit of the current year, which, if we put aside the special non-recurring receipts from the Central Government, really amounts to some 40 lakhs, has been swelled in the Estimates which are being placed before you for next year by the inevitable expansion of the administration. The excess of total expenditure over total revenue will be some 60 lakhs ; and, though we shall continue to add to that part of our balances which is ear-marked as the Famine Insurance Fund, there will be further drawal on the balances to meet part of the repayment instalment of the pre-Reform debt.

This position, unsatisfactory as it is, has only been reached after the most severe pruning of the departmental demands that has occurred since 1922. No less than 120 lakhs (excluding proposals for capital expenditure) has had to be cut from the demands of the departments—demands which they considered necessary for their efficiency. We have now arrived at the stage in our provincial progress which I foreshadowed in my address to you last year, and have begun to live upon the balances which we have laboriously acquired during the past four years. It is obvious that this cannot long continue. In the circumstances, it is incumbent upon us to do the best we can with the resources at our disposal. Bills will be placed before you for the continuance of the Stamp Act of 1922, for the revision of Court-fees, putting us into line with other provinces ; and a bill for the imposition of Stamp duty on the transfer of properties in the city of Bombay. In estimating the deficit to which I have referred, it has been assumed that the Stamp Act, which is at present in force, will be continued ; but we have at present taken no credit for the increased revenues from the other bills. They will, if they are accepted by the Council, reduce the deficit, it is hoped, by some 25 lakhs.

As has been pointed out on many occasions, the incidence of taxation on the people of the Bombay Presidency is considerably higher than that of any other part of India, and it is with feelings of the greatest reluctance that the Government brings forward any fresh taxation proposals. My colleagues and I are, however, strongly of opinion that it is very necessary to show to the Government of India that we are endeavouring, by all the means in our power, to meet necessary expenditure ; but even then, we must inevitably be left with a very considerable deficit, which there is no means of removing except by a radical curtailment of the services which Government at present provides for the people of this Presidency. After I had been in Bombay for only a few months, I addressed this honourable Council for the first time, and I then stated that the need for increased expenditure was undoubted, and expressed the opinion that no satisfactory result could be achieved until there was a readjustment of the financial relations at present existing.

between the Government of India and this Presidency. After a year's further experience of the work of the Presidency, in addressing you last February, I stated that it was a hopeless proposition to expect any Government to meet the demands of naturally expanding services with little or no expanding revenue. We have undoubtedly now reached the position which I foreshadowed in those remarks, namely, that we cannot possibly, out of the revenue which is left to us by the Government of India, carry out our real duties to the people of the Presidency if advance is to be made and the legitimate needs of the people satisfied. For the last two years or more I have travelled all over the Presidency, and I have seen for myself how necessary it is that increased financial assistance should be given, mainly in connexion with what are known as the nation building services. To my deep regret, in reply to the majority of the requests made by the local authorities, I have had to say that the financial position of the Presidency admits of no such help; and I can imagine nothing more serious for the future of the Presidency than to have to make any radical curtailment of the financial assistance at present given, when, as a matter of fact, a great deal more is urgently required. It has been a very serious matter to have cut as much from the demands of the Departments as we have done this year. We have endeavoured to cut as little as possible from Departments, such as Education and Health, but practically all new items, many of which are really very necessary, have had to be left out. If I may give one instance alone, I would mention the Police, where we have had to make drastic reductions, but it is quite impossible to make further reductions in the Police force of the Presidency without impairing its efficiency and endangering the lives and property of the people. In fact, if I take the example of Sind alone, the need of an increased police force there is known to all honourable members, and it is an accepted fact that, generally, the police force of any country must expand as years go on, and certainly not be reduced.

This constant refusal of what I would term legitimate and reasonable requests on the part of municipalities and local boards must also be a cause of grave disappointment, and must to a certain extent dishearten the efforts of those many gentlemen who are working with such ability and zeal to further the interests of their municipalities or districts. Nothing has struck me more, during my tours, than the manner in which gentlemen have so patriotically, and often at great self-sacrifice, come forward and are so energetically doing their best in the cause of local self-government.

Government is, at the moment, investigating the possibility of further retrenchment; but it must be understood that any further retrenchment must mean the reduction of establishments, the financial effect of which cannot be felt in the year in which it may be introduced; and I see little hope of making such retrenchments as will enable us to balance our Budget next year, unless we do, as I have indicated, take the most retrograde step of a drastic reduction in the financial assistance to those departments which, to my mind, it is absolutely essential to help still further than we are doing at the moment if we are to have that progress in the Presidency which we all desire.

This Honourable House has already, in a constitutional manner, drawn attention to the serious financial position of the Presidency, when, on the 2nd of March last, on the adjournment of the House, it passed a resolution dealing with this matter. The Government of Bombay and this Council has been supported, in its claim for a readjustment of the financial arrangements between Bombay and the Government of India, by every leading public body in the Presidency, and the justice of our claim is not, and cannot be, denied. As honourable members are aware, the Taxation Enquiry Committee met in Bombay and Poona during the past year, and I have some reason for hope that the recommendations of that Committee will assist us to some fresh avenues of supply; but our case against the Meston Settlement is so strong that I cannot believe much more time will be allowed to elapse before a reconsideration is given to it, and, therefore, a more just proportion of our own revenues allowed to us for necessary provincial services. We have, as I have said, undoubtedly reached the time, now, when we are meeting our deficit and must meet a deficit in the future, from our carefully acquired capital, but that is a financial proceeding impossible to be pursued for any length of time, and we can no longer deal successfully with the difficulties arising out of the failure to obtain a share of the revenues derived from the great industries of this Presidency by retrenchment and the postponement of essential services.

I can assure honourable members that I shall leave no stone unturned, as I have not done since I came to Bombay, to urge on the Secretary of State and the Viceroy the necessity for an immediate investigation and resettlement of our financial arrangements with the Government of India, and I feel convinced that, in any efforts my Government or I may make, we shall receive the wholehearted support of every honourable member of this Council, who fully appreciate the extent to which the welfare of this Presidency is endangered, and must be further endangered, unless we receive substantial relief at a very early date.

In the short summary of our financial position which I have laid before Council, I have not mentioned our two greatest projects, namely, the Barrage in Sind and the Bombay Development, the charges of both of which have hitherto been met from loan funds. The unfortunate change in the situation in the Development Department, to which I shall make further allusion, has demanded immediate action to be taken to provide, from revenues, some portion of the charges on the loans which have been raised for the reclamation of Back Bay. A sum of 20 lakhs has therefore been entered in the Budget for meeting the interest and sinking fund charges on the loan, as at present estimated by the Advisory Committee.

With regard to the Sukkur Barrage, I visited Sukkur last December, and I was immensely struck with the excellent progress which had been made since I visited the Barrage works a year before. I will not deal with this great undertaking at any length, as the Blue Book contains in great detail proposals for expenditure in the next year, and a summary of the work done up to date. It is proposed to advance to this work

from our balances a sum of about a crore of rupees—a procedure which enables us to earn an additional 2 per cent., and I am sure the Council will agree that no better use could be found for our surplus balances.

I now come to a question which is causing, and very rightly causing, considerable anxiety in the minds of the people—namely the Bark Bay Reclamation Scheme. Honourable members have before them the second “*Ad Interim*” report of the Advisory Committee, and Government is much indebted to all the members of that committee for the great trouble and much time which they have given to put all the facts clearly before Government, this House and the public.

Very shortly after my arrival in Bombay, I made a very close inspection of this work. I lay no claim to being an engineer, but, looking at the whole scheme from an ordinary layman's point of view, I will confess that I then felt that the greatest care must be exercised to ensure that the estimates, both as regards time and expenditure, were not exceeded. In a scheme such as this, time is the essential factor, for, when any scheme is to be financed from borrowed capital and borrowed interest on that capital, any under-estimate of the time necessary to complete the scheme must involve a most serious increase in expenditure. On occasions too numerous to mention, I have visited the work, and again I confess to an increasing anxiety, each visit, as to the future.

The results of the first season's working were, to my mind, very disappointing, but Sir George Buchanan, in a personal interview I had with him, assured me that the dredger had not had a fair trial and he was strongly against basing any estimate upon the results obtained up to then. He anticipated that the next year's working would be far more favourable, and suggested that the results should be awaited. It is, however, an unfortunate fact that the next year's working showed even worse results than the first. The figures were placed before the Sub-Committee seven days after receipt from the Chief Engineer. My honourable colleague, the Honourable Member, General Department, has throughout shared my anxiety, and entirely agreed with me that the fullest enquiry into the present position was not only desirable but necessary.

It is, in the opinion of Government, of paramount importance that we should proceed with great caution and obtain every available expert opinion—at the same time avoiding any idea that the position is worse than actual figures prove. We have already been able to secure an independent opinion from an engineer whose name is well known to every one—Sir Alexander Gibb. Unfortunately, after presenting his report, he has had to leave Bombay, and we are unable to utilise his report without further reference to him with regard to certain figures and statements, on which more detailed examination appears necessary. His report, however, confirms Government in the decision at which we have arrived, that it is certainly necessary to complete block 8 as soon as possible, and to proceed with blocks 1 and 2 in the most economical manner. My honourable colleague will deal with all details when the vote for the Development Department comes before this Council, and I cannot hope, except at great length, to put all the results of the many

contribution of Government before honourable members. To put it as blunt as I can, there are three propositions in the report submitted to Government. One, to stop all works which means a certain and present loss of 200 lakhs, which there can be no possible return in the future, of 100 lakhs. The second, to complete only block 8, already sold to the Mirdas, which is calculated to entail a definite loss of 388 lakhs. The third, to complete blocks 1, 2, and 8, which entails, according to the report submitted to Government, a loss of 369 lakhs, and, to the more optimistic view, the completion of block 1, 2 and 8, of 281 lakhs. I would like to inform honourable members that the many complicated figures have been set out and can be carefully examined, and Government is of opinion that it would be well to continue the reclamation of blocks 1 and 2, and to complete block 8. The figures given in the report of the Advisory Committee already need readjustment, and the prospects are much brighter than would be gathered from those figures. It is anticipated with confidence, that this will mean block 8 being completed, handed over to the Military, and paid for by them a year before the time anticipated in the report. An immediately important question to be decided is whether it is going to be more economical to complete blocks 1 and 2 by dry filling or wet filling. This is a question which no one can answer at present, but we are examining every detail, and intend to call for open tenders for earth filling on a large scale in order that we may be in a position to compare the economic possibilities of dry filling as compared with dredging in the future, on the basis of dredging results which we shall obtain this season. As I have said, I cannot deal fully to-day with a matter so full of complexed figures, and often of varying expert opinion, but honourable members may rest assured that Government is taking no thought of its prestige or of any consideration except that of doing, with the assistance of every expert opinion available, the very best it can to secure for the people of this presidency as small a loss as possible, and it may be—as all reports so far received have been based on the worst possible eventualities—that results will be actually obtained which will, to a considerable extent, relieve the tax-payer of liabilities anticipated in the Majority Report.

I have noted the various statements in the report apportioning blame. I feel convinced that all those, directly or indirectly referred to as being in any way responsible for the initiation or carrying out of the work, would welcome the fullest enquiry, but you will not expect me, at this moment, to say anything more definite on this subject, the report having been so recently received. I would, however, like to ask honourable members to take their memories back to the days when this scheme was first started and to read again, as I have read, the debates on the Amending Bill to the City of Bombay Improvement Act and the City of Bombay Municipal Act, which took place in the latter half of 1920. I was not here, but I am very mindful of the boom which followed the war, and that, at that time, many individuals expected that the boom would last,—and all who took action on that belief have suffered severely, as is well known by investors in India as elsewhere. At that time, land—I read in the reports of the debates—was sold at prices never heard of before. The Back Bay Scheme was based on an estimate of the price of land at pre-war prices,



and, had the demand for land continued, the scheme must have been a great financial success when completed in accordance with the estimate, or even on a largely increased estimate, as given by the expert advisers to the Government of that day. The time will undoubtedly come, to a city of the size and importance of Bombay, when the reclaimed land will be urgently required. Unfortunately, that is not to-day, nor is it likely to be within the next few years; and we must deal with the situation as we find it to-day, and do the very best we can in the interest of those for whom we, as members of a Government and as members of a Legislative Council, are responsible.

I am glad to be able to again record, this year, a further decrease in serious crime throughout the presidency, and our police are to be congratulated on the fact that, owing to their unremitting efforts, the graver forms of crime have been of late years steadily diminishing. The only dangerous outlaw now at large is Miran, whose depredations on the Sind Baluchistan border have been characterised by remarkable boldness. It is unfortunate that, despite a long and arduous pursuit through waterless and pathless mountains, the police have failed to surround him and his gang, but the hardships which they underwent, and the dangers which they have faced, are, I think, a fine testimonial to the spirit of the police force as a whole.

I have noticed, with much regret, the growth of Hindu Mahomedan friction in this presidency, in which, to my mind, lies at the present moment the most serious threat to the peace of this province. Arising out of this friction, outbreaks have taken place in several places accompanied by lamentable loss of life, and, in spite of these lessons, I have observed that some newspapers on both sides have failed to exercise a moderating influence, which they could well do. It is true that, in this presidency, the relations between Hindus and Mahomedans, and indeed between all classes of the population, are not so severely strained as they are in other parts of India, but I feel that very great improvement in this respect is required, and I am sure that I can rely on the cordial support of the whole Council for the endeavours which our officers are making to restore the harmony which prevailed in this province until quite recently. It appears to me to be necessary that the followers of each religion should practise their own religion with due regard not only to be rights, but to the feelings of their neighbours. There is nothing impossible about this, because it is exactly what the Hindus and the Mahomedans of this presidency have been doing for many generations, and all that seems to be required at the present time is to do what we can to restore, by the exercise of forbearance and goodwill, that harmony which has apparently been temporarily lost, and so to render any interference by Government unnecessary.

I have always thought that we have not paid sufficient attention to our indigenous industries, which could be of much assistance to the poorer section of the people, a feeling which I know has been shared by honourable members of this Council. The Department of Industries has been reorganised in deference to the wishes expressed by the Council, and it has been placed under Mr. F. E. Barucha, who has been connected with

it since its inception. The Department has been strengthened, and it is hoped that it will shortly be able to formulate a scheme for the survey of minor industries in this presidency with a view to their encouragement and development. The Department, as constituted at present, is not expected to afford assistance to large industries, but it is intended to help, with information and advice, the small industrialist who has limited capital at his disposal, and who is, in so many cases, badly in need of professional and technical advice.

The present activities of the Department have, up to the present, been directed to this supply of information and advice mainly with regard to demonstration in cottage industries, especially in weaving, technical education, experimental and demonstration work in rosha oil and fish oil and fisheries, while the new schemes which are at present contemplated by the reorganised Department include, the improvement of Indian art crafts, handloom weaving schools for the agricultural classes, an industrial survey of minor industries to which I have already referred, and the question of State aid to minor industries also. I have every hope that the efforts of this Department will in the future be of great benefit to the presidency.

There is one matter more a question for the Central Government than for the Government of Bombay to which I must refer, as Bombay is perhaps more directly affected than any other part of India—and I refer to the creation of the Royal Indian Navy. This is a question which I have had the opportunity of discussing on many occasions with those who have personally dealt with the many proposals as to the future of the Royal Indian Marine, and I was indeed glad to read the announcement recently made by His Excellency the Viceroy. Bombay will be the headquarters of the new Navy: here, in Bombay Harbour, will lie the Depot Ship, and in every way, Bombay will be essentially the home of India's Navy. I need not say, on your behalf and on behalf of Government, how heartily we shall give every assistance we can to the Navy of the Indian Empire, and I have myself every confidence that the Royal Indian Navy will, in every way, prove itself well worthy of the very high honour which has been accorded it, namely, that of hoisting the most honoured Ensign flown wherever ships may sail—the White Ensign.

As Honourable Members are aware, Sir Maurice Hayward completed his period of office as Member of Council at the beginning of this year. This House has already expressed, by resolution, its gratitude for his services, and I personally can only add that I am deeply indebted to him for his valuable advice and ever ready help during the time it has been my pleasure to have been associated with him in Council.

In a few weeks' time, Government will suffer another heavy loss in the retirement of the Honourable the Finance Member. It is difficult for me to say what I would wish while he still is a Member of my Government, but if honourable gentlemen will realise the amount of work which falls on the Finance Member, and remember how the financial position of the Presidency in spite of difficulties has been upheld in good times and bad, I feel sure they will realise, as I do, that a deep debt of gratitude

is owing to Sir Henry Lawrence for his unremitting labours on behalf of this Presidency during his long period of service in India, and particularly during the last five years.

Gentlemen, I now leave you to your deliberations. Your task is no easy one, but I have had sufficient experience of your work, during the past two years and more, to have every hope and confidence that you will give fairminded criticism to, and sound decisions on, the many difficult questions which will come before you. This will be the last budget to be put before this House, as at present constituted, for a general election will take place before the next budget. I should like to take this opportunity of thanking honourable members for their work in the past, and I am, I feel convinced, correct in saying that there is no Legislative Body in India which has viewed its responsibilities on this all-important question of the provision of funds for carrying on the essential work of the Presidency, with a greater sense of justice, both to Government and to the people, than the Legislative Council of Bombay. It can be said of no one, collectively or individually, that they never make mistakes. I hope you will agree with me that, if Government has made mistakes, it has been always ready to acknowledge and endeavour to repair those errors. There are, of course, some questions on which there must be considerable difference of opinion as to whether Government is right or a large section of honourable members of this Council hold the more correct view, but I have considerable hope that honourable members realise that the sole aim of Government is to do all that lies in their power to promote the prosperity of this great Presidency and its peoples, and, in this endeavour, fraught as it is with the welfare of the lives and fortunes of so many millions, my Government and I rely with confidence—a confidence which is the result of an experience of their work in the past—on the full support, but at the same time on the helpful criticism, of the members of this honourable Council in all efforts which Government may make to advance the material progress of the people. In the immediate years ahead of us, there are large issues to be solved, and I feel sure that my Government can confidently ask every honourable member of this Council to maintain the rights of a Presidency which has ever been foremost in its lead towards the industrial, economic, educational, and political advancement of the Empire of India, of which the Bombay Presidency may be a numerically small part, but in which it holds the proud privilege of being more historic and more important, from every point of view, than any other part of this great country.

After the conclusion of His Excellency's address a procession was formed, and His Excellency left the Hall in State.

The Honourable the President : Questions.

#### WATER FOR THE DEPRESSED CLASSES.

Mr. L. B. BHOPATKAR (Poona City) : (a) Will Government be pleased to state—

(b) whether they are aware that the depressed classes in the village of Munde in taluka Karad, district Satara, are required to go to

Khodshi a distance of two miles every day for fetching drinking water ;

(b) whether Government intend to make some provision for the same in the village of Munde itself ;

(ii) (a) Will Government be pleased to say whether they are aware that the depressed classes belonging to Bavdhan, Humgaon, Kalambe Mahu, Ruighar, Bhivadi, Kudal and the neighbouring villages have not been provided with separate watering places of their own, and are in consequence put to great inconvenience every day ;

(b) whether Government intend to do anything in the matter ?

The Honourable Mr. B. V. JADHAV : (i) (a) and (b) No complaints from the depressed classes in the village of Mundhe have been received in the matter. The statement that these classes are required to go every day a distance of two miles to fetch water is incorrect. These people have a separate well of their own which provides them with water except in the hot season. There is also a local board well which is used by all the villagers including the depressed classes but it runs dry during the hot season and the villagers, including the depressed classes, have to take water from private wells in the fields.

(ii) (a) and (b) No complaints from the residents of the villages in question or from the neighbouring villages have been received regarding inconvenience on account of lack of water. Enquiries made have elicited the following information :—

*Bavdhan.*—Here Mahars and Chambhars have a separate watering place of their own. The Mangs have no separate watering place but there is a stream from which they obtain water. When the stream runs dry they have to rely on the help of other villagers.

*Humgaon.*—The depressed classes have a separate watering place of their own and it provides them with water, except in the hot season when some scarcity of water is likely to be felt.

*Kalambe.*—There is a river which can be used by the depressed classes without the least inconvenience and no special arrangements for them are necessary.

*Mahu and Ruighar.*—The depressed classes have separate watering places of their own which provide them with water throughout the year.

*Bhivadi.*—There are two separate watering places one for the Mahars and the other for the Mangs. The *Zara* used by the Mangs provides them with water throughout the year but the Mahars possibly experience some scarcity of water as their number is large.

*Kudal.*—There are two watering places belonging to the depressed classes. One of these is used by the Mahars and the other is used by the Chambhars. The Mangs have no separate watering place but there is a stream from which they obtain their supply of water. All these people get water from these sources throughout the year and no complaints have been made regarding scarcity of water.

*Neighbouring villages.*—There are separate watering places for each class and no complaints have been made regarding scarcity of water from the depressed classes.

#### ACQUISITION OF LAND AT ATUR IN JUNNAR TALUKA.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) when the land for the construction of the Brahmanwada Road at Atur in taluka Junnar, district Poona, was acquired;

(b) whether any acquisition proceedings were taken in that behalf;

(c) whether any compensation was awarded to the owners concerned: if not, the reasons why it was not awarded;

(d) whether Government intend to compensate the owners concerned for the loss of their land; if so, when;

(e) whether it is a fact that assessment is still being levied on the land, though it has already been acquired;

(f) if so, do Government propose to take any action in the matter?

The Honourable Sir CHUNILAL MEHTA: (a) Acquisition proceedings are in progress.

(b) Acquisition proceedings were initiated in 1923.

(c) No compensation has been paid as the acquisition award has not yet been framed.

(d) Compensation is expected to be paid before the end of March 1926.

(e) Assessment is being recovered as the formal acquisition of the lands has not yet been completed, but this fact will be borne in mind in arriving at the figure to be given as compensation to the agriculturists.

(f) The persons concerned will be compensated for the assessment which they had to pay after the lands passed out of their hands.

Mr. L. B. BHOPATKAR: Does the Honourable Member know that the lands are taken possession of by Government?

The Honourable Sir CHUNILAL MEHTA: Yes.

#### NOTIFIED AREAS.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) the number of notified areas in the presidency;

(b) the population in each notified area;

(c) the income of each notified area, and the state aid, if any, granted to it;

(d) the reasons why these areas have not been converted into municipal districts; and

(e) the general policy of the Government in regard to such areas?

The Honourable Sir GHULAM HUSAIN: (a), (b) and (c) The accompanying statement\* gives the available information. The remaining information has been called for.

\* Vide Appendix No. 1.

(d) The attention of the Honourable Member is invited to section 187 (1) of the Bombay District Municipal Act, 1901.

(e) The general policy of Government with regard to the Notified Area Committees outside the Bombay Suburban District is to allow them to be merged in Village Panchayats whenever local circumstances permit. As regards the Notified Area Committees in the Bombay Suburban District the whole question of the re-organisation of local self-Government in the district has been examined by a Committee. The report of the Committee with the Government's orders thereon will be published shortly.

#### STRAY RABBIT DOGS IN POONA.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) Whether they are aware that cases of rabid dog-bites are largely due to such dogs being allowed to roam about in the streets?

(b) What the number of such dogs killed by the police in the city of Poona was during last year?

The Honourable Mr. J. L. RIEU: (a) The answer is in the negative. Such dogs are destroyed whenever their presence is brought to the notice of the Police.

(b) A statement\* giving details is laid on the Council table.

Mr. L. B. BHOPATKAR: Is it not the duty of the Police to detect such dogs and destroy them?

The Honourable Mr. J. L. RIEU: Yes.

#### COMPLETED TOWN PLANNING SCHEMES.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state how many town-planning schemes were completed by the Town-planning Arbitrator during the period from 1st April 1924 to 1st April 1925? And where were they completed?

The Honourable Sir GHULAM HUSAIN: Two. One at Panchgani and the other at Ahmedabad.

Mr. L. B. BHOPATKAR: What was the area covered up by this scheme?

The Honourable Sir GHULAM HUSAIN: I want notice of the question.

#### TRAVELLING ALLOWANCE OF TOWN-PLANNING OFFICERS.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether it is a fact that when officers in charge of town-planning schemes have to go from Poona to places like Karachi and Sukkur for their work, they do not go direct from one place to the other, but return from each place to Poona before going to the next;

(b) if so, will they be pleased to give the reasons?

The Honourable Sir GHULAM HUSAIN: Inquiry is being made.

#### BRIDGE OVER ULHAS.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether their attention has been drawn to an article that appeared in the "Lokamanya" of the 12th September 1925, regarding the bridge over the Ulhas river at Badlapur?

(b) If so, whether they have arrived at any and what decision in the matter?

The Honourable Sir GHULAM HUSAIN: (a) Yes.

(b) The question of constructing a low level causeway is under consideration.

#### BUILDING PERMISSION IN BOPOLI.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state whether it is a fact—

(a) that survey numbers 21, 22 and 19 of Bopoli in the Haveli taluka are contiguous lands;

(b) that Messrs. Agaskar, Sugandhiwala and Peter Louis have been permitted by the Collector of Poona to build in survey Nos. 21 and 22;

(c) that Mr. I. D. Amin (the owner of survey No. 19, plot 10) was refused permission to build on the plot on sanitary grounds;

(d) that a part of this land has been acquired for the G. I. P. Railway, and the Collector has given permission to the said railway authorities for the quarters of the station master at Kirkee?

(e) Will Government be pleased to give reasons why Mr. I. D. Amin has been refused permission to build, when his neighbours and the G. I. P. Railway have been allowed to build?

The Honourable Sir CHUNILAL MEHTA: (a) Yes.

(b) Messrs. M. V. Sugandhi and Peter Louis have been given permission to build in survey No. 21 of Bopoli and one Mr. B. V. Vasudeo Vagojkar was given permission in 1920 to build in survey No. 22.

(c) Yes, on sanitary grounds and for want of proper means of access.

(d) The attention of the Honourable Member is invited to the reply to clause (b) of the question\* put by Rao Saheb D. P. Desai at the First Session of the Council in 1924.

(e) The Honourable Member is referred to the reply to clause (c) above.

Mr. L. B. BHOPATKAR: Will Government grant the permission if proper access is made available?

The Honourable Sir CHUNILAL MEHTA: The Collector will have to be consulted in the matter.

## FIRST-AID TRAINING FOR PRIMARY TEACHERS.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) Why primary teachers from the districts of Poona and Bijapur only are selected for first-aid training?

(b) Whether any applications from the district of Ratnagiri are received by the Education Department requesting that some teachers from that district should be selected for that purpose? If so, from which places? Are the applications granted? If not, why?

(c) Whether any rules have been framed for the selection of teachers for the aforesaid course? If so, will a copy thereof be placed on the table?

The Honourable Mr. B. V. JADHAV: (a) The Honourable Member's attention is invited to the reply given to question put by Mr. D. N. Patel (Kaira District) printed at pages 91-92 of the Bombay Legislative Council Debates, Volume XIII, October 1924.

(b) One application from the people of Dhamse in the Ratnagiri district was received. The applicants were informed that their request would be considered when the scheme was extended to that district.

(c) No specific rules have been framed, but the selection is made by the head of the Educational Department, preference being given to head masters of primary schools in which there are 2 or 3 masters.

## NON-COMPLETION OF POONA TOWN PLANNING SCHEMES.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether it is a fact that while town planning schemes are perfected and completed outside Poona, those in Poona are being inordinately delayed;

(b) if so, will they state the reasons for this?

The Honourable Sir GHULAM HUSAIN: (a) There has been delay in completing the town planning schemes in Poona but it cannot be said to be inordinate.

(b) The schemes cover a large area and involve numerous interests, which are often conflicting and have to be carefully considered in reference to one another. The question also arose whether there should be a passenger station at Bhamburda and this was decided early in 1924. The Committee appointed for considering the question of reservation of site for Government purposes was for the above reasons not able to submit its report till April 1924. Objections were raised to some of the conclusions in this report and a final decision was not reached till the middle of the present year. Meanwhile the Poona City Municipality expressed their desire to have the cost of the drainage and water supply scheme to be included in the Town Planning Scheme and this question is now pending settlement between the Municipality and the Arbitrator.



## CROSSING OF THE STREAM IN THE MAHARWADA AT TASGAON

\* Mr. L. B. BHOPATKAR (Poona City). Will Government be pleased to state

(a) whether they are aware that during the rainy season at Tasgaon the children from Mangwada attending the school often find it impossible to cross the flooded stream and attend the school which is situated on the other side of the stream in the Maharwada ?

(b) whether Government propose to take any action in the matter ?

The Honourable Mr. B. V. JADHAV : (a) Such flooding occurs but rarely and subsides within an hour or two at the most.

(b) The control of the primary schools at Tasgaon having been transferred to the School Board of the District Local Board, Satara, the attention of the School Board has been invited to the matter for such action as it deems necessary.

## ADDRESS TO MR. N. C. KELKAR BY THE MAHAD MUNICIPALITY.

\* Mr. L. B. BHOPATKAR (Poona City). Will Government be pleased to state

(a) The expenditure incurred by the Mahad Municipality for the presentation of an address to Mr. N. C. Kelkar, M.L.A. ?

(b) Whether it has or has not been sanctioned by the Collector, Kolaba ?

(c) If not, why not ?

(d) Whether any address was presented to Mr. Kelkar by the Pen Municipality ?

(e) If so, was the expenditure sanctioned by the then Collector of Kolaba, Mr. Hartshorne ?

(f) Whether any address was presented to Mr. Kelkar by the Nasik Municipality ?

(g) Was the expenditure sanctioned by the Collector, Nasik ?

(h) What the reasons were which induced the Collector, Kolaba, Mr. Abbott, to refuse to sanction the expenditure incurred by the Mahad Municipality for the above purpose ?

(i) Whether there is any policy laid down by Government in this behalf, or is it left to the discretion of the Collector concerned ?

(j) If there is any settled policy in this respect, will Government place all the papers regarding it on the Council Table ?

The Honourable Sir GHULAM HUSAIN : (a), (b) and (c) These parts have already been answered.

(d) Yes.

(e) Yes.

(f) Yes.

\* This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

(g) No. The municipality, however, having subsequently approached Government in the matter, the expenditure was sanctioned by them as a special case.

(h) (i) and (j) These parts have already been answered.

MR. L. B. BHOPATKAR: May I know the amount of the expenses sanctioned?

THE HONOURABLE SR. GHULAM HUSAIN: I say, am sorry I have not the figures with me.

#### HOUSE BUILDING IN THE BHAMBURDA TOWN PLANNING SCHEME.

MR. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether they are aware that a person intending to erect a building within the aforesaid scheme is at present subject to triple jurisdiction, namely, that of the Poona City Municipality, the Town Planning Arbitrator, and the Collector, Poona?

(b) whether they know of any cases wherein buildings and out-houses approved by the first two authorities have been disapproved by the Collector, Poona, and ordered to be pulled down by him?

THE HONOURABLE SR. GHULAM HUSAIN: (a) This part has already been replied.

(b) There are no such cases.

#### CONSULTING SURVEYOR

MR. L. B. BHOPATKAR (Poona City): Will Government be pleased to state what are the University qualifications of the Consulting Surveyor and his subordinates as valuers?

THE HONOURABLE SR. GHULAM HUSAIN: Government have nothing to add to the reply given to him on 21st July 1924 and printed at pages 30-31 of Bombay Legislative Council Debates, Volume XII, Part I, to which the Honourable Member is referred.

#### NUMBER OF CATTLE SLAUGHTERED.

MR. L. B. BHOPATKAR (Poona City): Will Government be pleased to furnish a statement showing the number of (1) cows, (2) bullocks, (3) bulls, (4) calves, (5) she-buffaloes, (6) he-buffaloes, and (7) buffalo calves slaughtered in the year 1924 in each of the municipalities of the Presidency?

THE HONOURABLE SR. GHULAM HUSAIN: The requisite statement so far as information is available is appended†.

\* This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

† *Vide* Appendix No. 3.

## GOVERNMENT POLICY REGARDING LOCAL SELF-GOVERNMENT.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) how many places there are which have a population of more than 5,000 but have no municipality ;

(b) how many places there are which have a population of 3,000 and more, but which have no sanitary committee or village panchayat ;

(c) what the general policy of Government is in regard to such places ?

The Honourable Sir GHULAM HUSAIN : (a) and (b) The information is contained in the attached statement\*.

(c) The policy of Government has always been to encourage in every way the establishment of local bodies, but it has been found by experience that progress is retarded by opposition from the local areas concerned which is due to reluctance on the part of the people to serve on these bodies and to tax themselves.

## GRIEVANCES OF MAHAD INHABITANTS.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) Whether they are aware of an article published in the *Lokmanya* of 24th May 1925 under the caption “कुलाबा कॉलेक्टर व महाडकरांचे दुर्दैव”?

(b) If so, whether they have instituted any inquiries in the matter ?

(c) Whether they know that the ghat in question is used by the Hindus every year on several religious occasions ?

(d) Whether they know that the open space between the municipal road and the ghat has been used by the public at large for the last 80 years and more ?

(e) Whether representations in the matter have been made to the Collector, Kolaba, by the Mahad Municipality and the public of Mahad ? If so, what action did he take in regard to them ?

The Honourable Mr. J. L. RIEU : (a) and (b) In the affirmative.

(c) The ghat is reported to be very rarely used by the public.

(d) The ghat is reported to have been approached by the public by two other ways which still remain open. It is further reported that no objection as regards any right of way was raised when the ground in question was taken up in 1918 for a public purpose.

(e) The Collector recently interviewed the representatives of the public and of the Municipality and it was freely admitted at the interview that there was no legal right to the way in question.

\* Vide Appendix No. 4.

## FERRY AND DAM IN THE ULHAS RIVER IN THANA DISTRICT.

\* Mr. L. R. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) what amount they have received up to now as income from the ferry on the Ulhas river, and what they have spent on the construction of the dam;

(b) whether it is a fact that a large quantity of water is discharged from the dam at night and that this causes hardship and danger to men and animals;

(c) whether it is a fact that the discharge of water from the dam and the consequent inundation of the river has considerably affected vehicular and other traffic in that part of the district;

(d) whether they have made any enquiries into the grievances of the people in connection with this dam;

(e) if so, will they be pleased to state the result of such enquiry?

(f) Who is the officer in charge of the dam and to whom he is directly subordinate?

-A. (a) whether it is a fact that the Development Department has put up another dam over the original dam on the Ulhas river, and, if so, why this has been done;

(b) who is the officer in charge of this second dam and to whom is he directly subordinate?

The Honourable Mr. COWASJI JEHangIR: (a) The annual income derived from the ferry on the Ulhas river for the years 1914-15 to 1924-1925 is as shown below:—

Year.				Income.
				Rs.
1914-15	..	..	..	257
1915-16	..	..	..	250
1916-17	..	..	..	295
1917-18	..	..	..	170
1918-19	..	..	..	235
1919-20	..	..	..	325
1920-21	..	..	..	330
1921-22	..	..	..	250
1922-23	..	..	..	200
1923-24	..	..	..	275
1924-25	..	..	..	100

The cost of constructing the dam amounts to Rs. 5,78,531.

(b) No. The discharge is not increased at night.

(c) There has been very slight inconvenience to vehicular traffic in that part of the district. It is, however, due not to the construction of the dam but to the operation of the Tata Company which lets down its tail water into the Ulhas river at Bhivpuri.

\* This question was asked at the meeting held in February-March 1925, when an *ad interim* reply was given.

(d) Yes.

(e) The working of the barrage gates has been so carried out as not to cause any danger at any crossing below it.

(f) The officer in charge of the Badlapur barrage is the Assistant Engineer under the Executive Engineer, Kurla Trombay District.

A. (a) The Development Department has constructed only one dam on the Ulhas river at Badlapur. There was no dam at the site where the Badlapur barrage has been built.

(b) Does not arise.

#### ADDITIONAL POLICE UNDER SECTION 25 OF THE DISTRICT POLICE ACT, 1890.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) at what places additional police under section 25 of the Bombay District Police Act, 1890, had to be employed from 1st April 1922 to 1st April 1925 ;

(b) what was the strength of the additional police employed at each of such places ;

(c) what was the total sum realized on account of the cost of such additional police from each of such places and from whom it was realized ?

The Honourable Mr. J. L. RIEU : The information is being collected.

#### CHAMBHARS' HUTS AT MATHERAN.

\*Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether they are aware that the municipal authorities at Matheran have asked the Chambhars there to remove their huts to an open space by the side of the sewage and night-soil depôt of the municipality ;

(b) whether it is a fact that the municipality have not built any road to the said huts, nor provided lights in the locality ;

(c) whether Government propose to take any action in the matter ?

The Honourable Sir GHULAM HUSAIN : (a) There are no trenches for sewage in use in the vicinity of the new Mochiwada the site of which was approved by the Consulting Surveyor to Government, the Commissioner, Southern Division, the Collector of Kolaba and the Superintendent of Matheran.

(b) There is a metalled road from the Bazar to the huts and no other roads are called for particularly as this quarter is not inhabited during the rains. The old site was not provided with lights. The Municipality does not provide lights on all the roads nor are they required.

(c) No.

\* This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

Mr. L. B. BHOPATKAR : Why were they removed ?

The Honourable Sir GHULAM HUSAIN : Because more open space was required.

#### LAND REVENUE ASSESSMENT IN KARJAT TALUKA.

Mr. L. B. BHOPATKAR (Poona City) : Will Government be pleased to state—

(a) Whether it is a fact that the Collector, Kolaba, issued orders in 1923 that there would be an increase in land revenue by only 25 per cent. in the aforesaid taluka ?

(b) Whether the khatedars have paid such increase for two years, *i.e.*, for 1922-23 and 1923-24 ?

(c) Whether it is a fact that the Collector, Kolaba, is realising now the difference between 33½ per cent. and 25 per cent. for the years 1922-23 and 1923-24 as balance due from the khatedars ?

(d) Will Government lay on the table copies of all orders passed by the Collector, Kolaba, to his subordinates in this behalf ?

(e) Whether applications were made by any of the khatedars requesting the Collector to explain how the balance was shown against their names in the village accounts ?

(f) Whether attachments were made of the goods of such khatedars before their applications referred to above were disposed of, and before any explanation as prayed for in their applications was vouchsafed to them ?

The Honourable Sir CHUNILAL MEHTA : Inquiry has been made.

#### RE-ASSESSMENT OF LAND IN BHAMBURDA TOWN PLANNING SCHEME.

Mr. L. B. BHOPATKAR (Poona City) : Will Government be pleased to state—

(a) whether any area out of the Bhamburda Town Planning Scheme has been handed over to the Poona City Municipality ;

(b) if so, whether it is not included in the municipal limits as *gaathan* and therefore not liable to pay either enhanced assessment or building fine.

The Honourable Sir GHULAM HUSAIN : (a) No.

(b) The question does not arise.

Mr. L. B. BHOPATKAR : If no area out of this planning scheme is handed over to the Poona City Municipality, why is the municipality to be held responsible for the said scheme ?

The Honourable Sir GHULAM HUSAIN : I would refer the honourable member to the Town Planning Act.

Mr. L. B. BHOPATKAR : What has the Town Planning Act got to do with this question ? Will the Honourable Minister point to the particular section which he refers to ?

(No reply.)

## ADMISSIONS TO ENGINEERING COLLEGE, POONA

Mr. L. B. BHOPATKAR (Poona City) Will Government be pleased to place on the table a report on the rule framed by the College of Engineering at Poona?

The Honourable Mr. B. V. JADHAV : Yes, the report will be placed on the Council table.

## RULES UNDER THE BOMBAY CHILDREN ACT

Mr. L. B. BHOPATKAR (Poona City) Will Government be pleased to state—

(a) whether the rules under the Bombay Children Protection Act have been framed?

(b) If not, when will they be made?

The Honourable Mr. J. L. RHULE : (a) No.

(b) Rules are being drafted in consultation with various charitable institutions. It cannot be said when they will be ready.

## LAND ACQUISITION PROCEEDING

Mr. L. B. BHOPATKAR (Poona City) Will Government be pleased to state whether it is a fact—

(a) that in acquisition case in the presidency and particularly in Poona, some one from the Consulting Surveyor's office is appointed as the Special Land Acquisition Officer?

(b) that when any case is taken up to the district court by way of reference by the aggrieved party, the Consulting Surveyor himself or some subordinate officer of his is cited and examined as an expert witness to support the Special Land Acquisition Officer's valuation?

The Honourable S. C. GHUNLAL MEHTA : (a) Except when Special Land Acquisition Officers are appointed when large areas have to be acquired, the Assistant or Deputy Collector in charge of a taluka is appointed land acquisition officer in that taluka. For Poona City and suburbs and for the cities of Ahmedabad and Karachi certain Assistants to the Consulting Surveyor have been appointed Special Land Acquisition Officers.

(b) It is one of the duties of the Consulting Surveyor to Government to give expert evidence in land acquisition references. Government have not assigned this duty to any of his subordinates.

Mr. L. B. BHOPATKAR : Do Government think that the assistants to the Consulting Surveyor are experts in that line? They are graduates in Engineering and they have nothing to do with the acquisition and valuation of lands.

\*This question was asked at the meeting held in July-August 1925 when an *ad interim* reply was given.

†Vide Appendix No. 5.

The Hon'ble Sir CHINLAL MEHTA : I believe they have a great deal to do with the question. This

### RATES OF NON-AGRICULTURAL ASSESSMENT

Rao Sahib D. P. DESAI : Sir, Directly Will Government be pleased to reply—

(a) whether the Government intend to raise the following towns in the Surat District—

Hat-Berod, Dahanu, Sura, Talpur, Vapi, Barchi, Ankleshwar, Vagra, Anand, Nadi, Umroli, Bhilaj, Bor, and Ahmedabad, Aland, Dahanu and Anandgar.

(b) whether it is a fact that Government intend to raise the rate of non-agricultural assessment in this Presidency? If so, will they be pleased to state the percentage of such increase?

(c) whether non-agricultural assessment is fixed in consultation with the Department of Public Health? If the reply be in the negative, will Government be pleased to state whether they intend to give any concession to persons desiring to live outside congested localities?

The Hon'ble Sir CHINLAL MEHTA : (a) A statement showing the maximum and minimum rates of non-agricultural assessment prevailing in the towns put up.\*

(b) The general principle of fixing or revising the non-agricultural assessment since 1920 is that the State demand should ordinarily be fixed at 6 per cent. on half the market value of the locality where there is demand for building purpose. In the case of lands used for other non-agricultural purposes, the rates of different assessment are fixed according to certain multiples of agricultural assessment mentioned in Rule 81 of the Land Revenue Rules, 1921. There is no intention to depart from the Resolution.

(c) No. The concession of reduced non-agricultural assessment in congested areas is given under No. 83 of the Land Revenue Rules in order to relieve overcrowding in adjoining towns.

Rao Sahib D. P. DESAI : Sir, as regards (b) I had asked for percentage of increase.

The Hon'ble Sir CHINLAL MEHTA : The question is

whether it is a fact that Government intend to raise the rate of non-agricultural assessment in this Presidency? If so, will they be pleased to state the percentage of such increase?

and the reply is that there is no intention to depart from the resolution.

Rao Sahib D. P. DESAI : As regards (c) may I know the reasons why the Minister of Public Health is not consulted?

The Hon'ble Sir CHINLAL MEHTA : The question was "whether non-agricultural assessment is fixed in consultation with the Department of Public Health";



and the answer to that is "No."

Rao Sahib D. P. DESAI : May I know whether the policy governing the levy of altered assessments is as under :

"Rent is like a tide which no man creates and no man can levy. Therefore the wiser policy is to claim the full state share of the rent and check overcrowding by regulations attached to the tenure."

The Honourable Sir CHUNILAL MEHTA : I do not follow that question.

Rao Sahib D. P. DESAI : Am I right in assuming at the inference that Government become half the owner of the value of the land from the statement that the state demand should be fixed at 6 per cent. on half the market value of the locality ?

The Honourable the PRESIDENT : That is a long Government to give an opinion.

#### SUSPENSION OF REVISED RATES OF ASSESSMENT IN SINDKHEDA TALUKA

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state :

(a) whether they are aware that at the District Conference for West Khandesh held at Shurpur on 31st January and 1st February 1925 a resolution was passed that the revised rates should not be introduced in the Sindkheda taluka till the Committee appointed by Government in pursuance of the resolution of this Council passed in March 1924 has submitted its report ?

(b) Do Government propose to take any action on this resolution ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) No.

#### LEPERS IN THE PRESIDENCY.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state :

(1) the number of lepers in each district of the presidency during the last five years ;

(2) whether there are any leper asylums in the presidency, and, if so, where ;

(3) the number of lepers in each such asylum ?

The Honourable Mr. B. V. JADHAV : (1) Attention is invited to the last column of Imperial table XII- part II of the Census of India Report, 1921, which gives the total leper population in the Bombay Presidency according to districts. Separate figures for each of the last five years have not been collected.

(2) and (3) The accompanying statement\* gives the places where Leper Asylums are situated in this Presidency and the number of lepers treated in each during the year 1924.

\* Vide Appendix No. 7.

## GOVERNMENT SERVANTS' ASSOCIATIONS

Mr. S. S. DEY (West Khandesh District): (1) How many associations of Government servants of all grades are there in the Presidency?

(2) What are the rules of these associations?

(3) Have they been recognised by Government?

(4) If not, why have they not been recognised? the reasons why they are not recognised?

The Honourable Mr. HENRY LAWRENCE: (1) Government is aware of the existence of Government servants.

(2) A statement giving the names of Associations is appended.

(a) No.

(1) If Associations have not been recognised pending such modification of their rules as will bring them into conformity with those laid down by the Government of India for the recognition of Government Servants' Associations.

## PERMANENT VACANCIES IN THE BOMBAY PROVINCIAL EDUCATIONAL SERVICE.

Mr. S. S. DEY (West Khandesh District): Will Government be pleased to state

(1) How many permanent vacancies have occurred in the Bombay Provincial Educational Service during the last three years?

(2) How many of them were filled up during that period?

(3) The reasons why all of them were not filled up?

(4) What are the special qualifications of the gentlemen who had been given permanent posts in preference to others who had been refused the posts?

(5) The length of the service of the gentlemen who had been given permanent posts and of those who had been refused the posts?

The Honourable Mr. B. V. JADHAV: The required information for the years 1922-23, 1923-24 and 1924-25 up to July 1925 is given in the accompanying statement. It is presumed that the concluding portions of clause 1 and 5 of the question refer to men who have been appointed to act but have not been confirmed.

## ADMISSIONS TO TRAINING SCHOOLS AND COLLEGES.

Mr. S. S. DEY (West Khandesh District): (1) Will Government be pleased to state what decision they have arrived at as regards the percentage of admission of boys to training schools and colleges from among the intermediate classes and the backward classes and by open competition?

(2) Will Government be pleased to state separately the number of boys in December 1924 in all training schools and colleges in the Presidency proper from among the advanced, intermediate and backward classes?

\*Vide Appendix No. 8

†Vide Appendix No. 9.

The Honourable Mr. B. V. JADHAV : (1) Admissions to Training Schools and Colleges from the Advanced, Intermediate and Backward Classes in the Presidency proper and Sind are made as follows :—

Class.	Bombay, Central and Southern Divisions.	Northern Division.
(a) Advanced classes (including Brahmins and Intermediate castes not treated as Backward)	25 per cent.	} 90 per cent.
(b) Intermediate castes treated as Backward (including Mahomedans, Indian Christian, other than Goans and East Indians).	60 per cent.	
(c) Backward castes proper (formerly called Depressed classes).	15 per cent.	10 per cent.
Total	100 per cent.	100 per cent.

*Note.*—The vacancies in the places reserved for Backward castes are given to the Intermediate castes if there are no suitable candidates.

	Sind.	Per cent.
Hindus	.. .. .	25
Mahomedans	.. .. .	75
		100

(2) The accompanying statement\* furnishes the requisite information Mr. B. G. PAHALAJANI : The teachers sent to training school and colleges are for teaching in the primary schools.

The Honourable Mr. B. V. JADHAV : Yes, it is so.

Mr. B. G. PAHALAJANI : Does the Honourable Minister know that in primary schools, the proportion of the number of Hindu pupils to Muhammadan pupils is 2 to 1 ?

The Honourable Mr. B. V. JADHAV : Yes, it may be so.

Mr. B. G. PAHALAJANI : Why then is it that in Sind the proportion of Hindus sent for training is three times larger than that of Muhammadans ?

The Honourable Mr. B. V. JADHAV : It is according to population

#### INDIAN NATIONAL ANTHEM.

Mr. S. S. DEV (West Khandesh, District) : Will Government be pleased to state—

(1) whether they are aware that in public functions, such as Baby Week, celebrations and others, the Indian National Anthem *वन्दे मातरम्* is very often sung ;

(2) whether they are aware that such functions are attended by all officials and non-officials ;

they have issued any instructions to officials to respect the National Anthem on such occasions ;  
 do they expect the officials to do on such occasions ?

Mr. J. L. RIEU : (1) Government have been informed that " Bande Mataram " is frequently sung at political gatherings.  
 (2) Government have no information.

# TEACHERS' PAY.

(West Khandesh District) : Will Government be

pleased to issue any circulars or orders of Government which will enable teachers with lower qualifications to draw more than those who are senior or better qualified ;

It is a fact that Messrs. V. R. Thombre, S. M. Barde and other teachers in vernacular schools in the West Khandesh have not passed their third year examination and are drawing less than Messrs. T. T. Patil, S. V. Gadgil and T. H. Naik, who have passed their third year examination ?  
 What is the reason ?

Mr. B. V. JADHAV : (a) and (b) Yes.

The three teachers first named are *second year* trained and receive a *selection grade* pay sanctioned for their class. The other six teachers are *third year* trained men who are drawing with the *ordinary time-scale* of pay sanctioned for their class.

# THE COMMITTEE APPOINTED TO ENQUIRE INTO THE SALARIES OF PRIMARY SCHOOL TEACHERS.

(West Khandesh District) : Will Government be

pleased to inform me that the committee appointed on 17th March 1924 to report regarding the case of primary teachers has submitted its report ?

When is it likely to report ?

Will local bodies be consulted whether they would be able to bear the financial burden consequent upon the adoption of the proposed scale of pay ?

How many of them have replied in the affirmative and how many have not ?

Mr. B. V. JADHAV : (1) This has already been reported to the Government.  
 (2) A statement can be made at present.

It was asked at the meeting held in February-March 1925, when an answer was given.

(3) and (4) The attention of the Honourable Member is invited to the reply given to parts (a) and (b) of the question on the subject put by the Honourable Member for Panch Mahals District.\*

#### SLAUGHTER OF CATTLE.

†Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(1) how many cattle were slaughtered in the presidency in the year commencing from 1st April 1922 and ending on 31st March 1923?

(2) Of these cattle, how many were cows, buffaloes and bullocks?

The Honourable Sir GHULAM HUSAIN: (1) and (2) Government have endeavoured to obtain the figures required, but the reports received from the district officers show that in many Municipalities no proper record of the number of cattle slaughtered is kept, while no information at all is available of the cattle slaughtered outside Municipal and Cantonment area. Under these circumstances Government regret that they are not able to supply the figures.

Mr. J. C. SWAMINARAYAN: Is it not the duty of the municipality to keep a record of cattle slaughtered within the areas under its jurisdiction?

The Honourable Sir GHULAM HUSAIN: It is not a primary duty of a municipality.

Mr. J. C. SWAMINARAYAN: Is it the voluntary duty?

The Honourable Sir GHULAM HUSAIN: I would like to have notice of that question.

#### AYURVEDIC DISPENSARIES AND SCHOOLS.

†Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(a) how many Ayurvedic dispensaries and schools there are in the presidency;

(b) how many of them are exclusively maintained by local bodies;

(c) how many of them get any pecuniary help from Government;

(d) what is the total amount of such help rendered?

The Honourable Mr. B. V. JADHAV:

(a) Dispensaries	..	..	..	..	223
Schools	..	..	..	..	10
(b) Dispensaries	..	..	..	..	25
Schools	..	..	..	..	1

Six dispensaries in addition receive a grant from local bodies aggregating to Rs. 1,890.

(c) Dispensaries	..	..	..	..	1
(d) Rs. 511.					

Dr. R. P. PARANJPYE: Have Government received any reports from the Surgeon General on these dispensaries?

\*Vide Appendix No. 11.

†This question was asked at the meeting held in February-March 1925, when an *ad interim* reply was given.

The Honourable Mr. B. V. JADHAV : Not yet.

### G. I. P. RAILWAY BETWEEN DHULIA AND CHALISGAON.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state—

(1) whether they are aware that the engine of the train that runs between Dhulia and Chalisgaon very often fails and causes great detention and inconvenience ;

(2) whether they are aware that the public have bitterly complained against this and yet the company has taken no notice of it ;

(3) whether it is possible for Government to remove this complaint of the people ?

The Honourable Sir CHUNILAL MEHTA : (1) The Agent, Great Indian Peninsula Railway, reports that there were only 6 engine failures on the Chalisgaon-Dhulia Branch during the period, 1st August 1924 to 31st July 1925. The number of failures work out at only 0.4 per cent. of the total number of trains actually worked on the branch during the same period.

(2) The Railway authorities had received some complaints regarding the running of the service, to all of which immediate attention was given by them.

(3) Does not arise.

### PASTURE LANDS IN WEST KHANDESH.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased—

(1) to furnish a statement showing the pasture lands in charge of the Forest Department under each range in West Khandesh ?

(2) to furnish a statement showing the pasture lands in charge of the Revenue Department in each Taluka in West Khandesh ?

(3) to state how many acres of pasture lands have been brought under cultivation during the last ten years ?

The Honourable Sir CHUNILAL MEHTA :

(1)

Range.	Area of pasture land.
	Acres.
Sakri .. .. .	24,375
Pimpalner .. .. .	10,300
Dhulia .. .. .	} Nil.
Sindkheda .. .. .	
Nandurbar .. .. .	
Nawapur .. .. .	
Akrani .. .. .	
Shahada .. .. .	
Taloda .. .. .	} Nil.
Shirpur East .. .. .	
Shirpur West .. .. .	

(2)

Total .. .. Rs. 11,000

			A.	P.
Dhula	..	..	52	19 13
Sindkheda	..	..	1	0 10
Nandurbhi	..	..	10	0 00
Sakri	..	..	200	0 0
Shurpur	..	..	}	Nil
Shahada	..	..		
Taloda	..	..		
Nawapur	..	..		

(3) 28,961 acre 36 guntha

## FOREST INCOME AT DHAMNAR, MHASDI AND BEHED.

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(1) the income realised during the last year from the forests by sale of forest produce, within the jurisdiction of Dhamnar, Mhasdi and Behed three villages in the Solari Taluka of West Khandesh;

(2) the income realised during the same period from the same forests by way of damages caused by cattle belonging to the villagers;

(3) the income realised during the same period at the three villages by way of fees for cattle impounded on account of their having trespassed on forest lands?

(The income under the above three heads should be given separately for each of the three villages.)

The Honourable Mr. A. M. K. DEHLAVI: (1) Income realised during the year 1921-25 is as below.

			Grazing fee	Other forest produce
			Rs. a. p.	Rs.
Dhamnar	..	..	.. 196 0 0	Nil
Mhasdi	..	..	.. 356 1 0	75
Behed	..	..	.. 132 0 0	1

(2) Nil.

				Rs. a. p.
(3) Dhamnar	..	..	..	37 0 0
Mhasdi	..	..	..	61 8 0
Behed	..	..	..	56 0 0

## MISSIONARY INSTITUTIONS IN WEST KHANDESH.

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(1) how many Christian Mission institutions there are in West Khandesh and at what places they are located;

(2) whether any of them receive or have received any kind of aid or concessions from Government ?

(3) whether any of them have got lands from Government ? If so—

(a) which of them ? and

(b) how many acres of land ;

(4) the number of converted males and females in each of those institutions ,

(5) to what caste each of the converted persons belonged before conversion ?

The Honourable Mr J. L. RIEU : Information is being obtained

MR R. P. MARATHE.

Mr. N. R. GUNJAL (Poona District) Will Government be pleased to state

(a) whether they received any revision petition from Mr. R. P. Marathe, late a clerk in the Revenue Department in the Poona District, who was dismissed by the Collector of Poona on 4th March 1921, for an alleged offence of disobedience of order ?

(b) If so, will they be pleased to place the papers of this case on the Council Table ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) A copy of Government Resolution\* No. 2802 dated 22nd November 1921, is placed on the Council Table.

#### KULKARNIS WHO SURRENDERED HEREDITARY RIGHTS IN DIFFERENT TALUKAS OF THE POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state -

(a) the number of kulkarnis in different talukas and petas in the Poona District who surrendered their hereditary rights to officiate as kulkarnis to Government about the year 1916-17 ;

(b) the number of applications which were subsequently made by the said kulkarnis to Government complaining of their surrender as having been involuntary ;

(c) how the applications referred to in clause (b), if any, have been disposed of ;

(d) whether there are any kulkarnis in the Poona District who have not as yet made such a surrender of their watan rights ; if so, the number of these and the talukas in which they reside ?

The Honourable Sir CHUNILAL MEHTA : A statement† embodying the requisite information is placed on the Council Table. \* .

\* Vide Appendix No. 12.

† Vide Appendix No. 13.



## RECOMMENDATIONS OF THE RETRENCHMENT COMMITTEE.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state what progress they have made in carrying out the remaining recommendations of the Retrenchment Committee since their last reply on the subject?

The Honourable Sir HENRY LAWRENCE: The Honourable Member's attention is invited to the statement placed on the Council Table in March last in reply to the question put by Haji Abdullah Haroon (Karachi City)\*. A statement† showing further action taken by Government on the recommendations of the Retrenchment Committee is placed on the Council Table.

## LAND ACQUISITION FOR THE MULA NILA PROJECT.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) How many survey numbers were voluntarily handed over by the owners to the Tata Company, on receipt of their value and how many were compulsorily acquire! for the Mula Nila Project?

(b) Were trees on the acquired plots acquired and paid for?

(c) Were the village sites acquired on the same lines, as was the case in the Andhra Valley Project? Is there any difference between the rates given for acquisition of village sites in the Andhra Valley and in Mulshi Peta?

(d) What steps have been taken with regard to Public Dewasthans coming within the Mula Nila Project?

(e) In how many cases was compensation for trees in village sites given and in how many cases was it not given and what was the rate fixed?

(f) Are any steps taken to acquire lands beyond the contour line in Mulshi Peta acquisitions?

The Honourable Sir CHUNILAL METHA: (a) Lands required by the Tata Power Company, Limited, for the Nila Mula Project were acquired under the Land Acquisition Act. The area so acquired is mentioned below—

	Survey Nos.	Hisas Nos.
No. of survey numbers in which persons accepted compensation without protest ..	4,000	5,000
No. of survey numbers in which references were made to District Courts ..	400	500

\* Vide Volume XIV, page 1307.

† Vide Appendix No. 14.

Government have no information as regards the area acquired by the Company without recourse to the Land Acquisition Act.

(b) Yes. Trees have either been paid for or allowed to be removed by their owners at their option.

(c) Yes. Rates naturally differ in different localities.

(d) Arrangements have been made with the consent of the people concerned to reinstate at the expense of the Tata Company the two big temples, viz., Shri Jotirajeshwar (at Aksai) and Malikarjun (at Vadgaon) at Ambavane and Paud respectively. In the case of all other small public temples the compensation money has been credited into the Government treasury in the name of the village panchas. It will be utilised for the construction of new temples when their location is definitely settled.

(e) In 50 cases, compensation for trees standing in Gaathan was claimed by the owners and was paid. In about 200 cases the owners preferred to remove the trees and they were allowed to do so. No uniform rate was fixed, but each tree was valued.

(f) No.

#### COUNTING OF INFERIOR SERVICE AS SUPERIOR SERVICE FOR PENSION.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) In which of the Departments Government have allowed inferior service of their subordinates to count as superior service for pension?

(b) Do Government intend to extend the concession to the servants of the Registration Departments who were employed as Karkuns to the Village Registrars?

The Honourable Sir HENRY LAWRENCE: Information is being collected.

#### NARAYANGAON JUNNAR ROAD.

Mr. N. R. GUNJAL (Poona District): (a) Will Government be pleased to state whether they are aware that the proposed diversion of the Narayangaon Junnar Road in the Poona District has caused great dissatisfaction amongst the owners of lands that are to be taken for the diversion as the lands are very rich?

(b) Are Government aware that an alternative diversion was suggested by Dewan Bahadur K. R. Godbole, along the north side of the town which was comparatively less costly?

(c) Have any memorials in the matter been received by the Collector of Poona?

(d) If so, will Government be pleased to state what steps they intend to take in the matter?

The Honourable Sir GHULAM HUSAIN. (a) The proposed diversion was protested against by the land owners of Narayangaon to the Collector of Poona.

(b) It is not known whether the alternative diversion put forward by the land owners was suggested by Diwan Bahadur K. R. Godbole.

(c) Yes. A petition from the land owners was received by the Collector of Poona in September 1923. A similar application was received last year by the Mamlatdar concerned. The Collector after consulting the Executive Engineer agreed that the line proposed by the Executive Engineer, Poona Division should be adhered to.

(d) None. The line proposed by the land owners is not suitable at all.

#### PAY OF LOWER SUBORDINATE ESTABLISHMENT OF GOVERNMENT

\* Mr. N. R. GUNJAL (Poona District). Will Government be pleased to furnish the dates from which the several scales of the pay of the lower subordinate establishments were improved in the Educational, Revenue, Judicial, Registration, Forests, Akbari, Police, Public Works and other principal departments of the public service showing at the same time the extent of the improvement in each case?

The Honourable Sir HENRY LAWRENCE. A statement† is placed the Council Table.

#### BUILDING GRANTS FOR PRIMARY SCHOOLS IN POONA DISTRICT

Mr. N. R. GUNJAL (Poona District). Will Government be pleased to state

(a) the amount of building grants for primary schools given to each taluka of the Poona district for the last two years 1923 and 1924 for local board, municipal and other recognised schools?

(b) whether any application has been received by the Educational Department from the Alandi municipality, Poona district for a building grant to the Mrs. Hatch Girls' School at Alandi?

(c) how many local board schools there are in the Poona district and how many of them have no local board buildings?

(d) whether there are any contributions from the villagers of the Poona district for school buildings lying with the Educational Department pending the consideration of Government for payment of their share out of the building grant?

The Honourable Mr. B. V. JADHAV. (a) The accompanying statement‡ gives the information required. No grants were paid to schools other than those in the Haveli Taluka.

(b) and (d) The reply is in the negative.

(c) 550, of which 416 have no District Local Board buildings.

\* This question was asked at the meeting held in February-March 1925, when an oral interim reply was given.

† Vide Appendix No. 15.

‡ Vide Appendix No. 61.

## COMMITTEE OF KULKARNI WATANS

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state

(a) whether attention has been drawn to a correspondence published in the *Acacia* newspaper dated 16th June 1925 at page 11 from Mr. Dattatraya Hindolkar of Chopda in the matter of the decision of the Bombay High Court (1st Appeal No. 218 of 1922) regarding the Kulkarni Watans?

(b) If so will they be pleased to lay a copy of the above decision on the Council table (a) to state what action they propose to take in view of the decision?

The Honourable Sir CHUNILAL MEHTA: (a) Yes. It is presumed the Honourable Member refers to First Appeal No. 228 of 1923.

(b) (c) The Honourable Member is referred to pages 163-167 of the Bombay Law Reporter Volume XXVII Nos. 6, 7 and 8. Copies of the Law Reporter are placed on the Council table for reference.

(d) The matter is under consideration.

## GOVERNMENT RECORDS REGARDING GAIRAN

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state

(a) when information about Gairan is not available for years before 1879?

(b) up to what year such information is available from their records?

(c) will they be pleased to furnish such information for the earliest year available?

(d) whether it is a fact that Gairan lands in many villages of the Khed Tahsil were sold to the public by auction or private sale by Government?

The Honourable Sir CHUNILAL MEHTA: Information has been called for.

## "CHARDIS" IN KHALSA AND INAM VILLAGES.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state

(a) whether there is any proportion, and if so, what as regards the sharing of the costs of constructing a new *chardi* in khalsa and inam villages between inamdars, the villagers, the local board and the Government;

(b) for what purposes can *chardis* be used by Government and local board officers, villagers and inamdars;

(c) who is responsible for the maintenance and repairs of *chardis*?

\* Kept in the Secretary's Office.

† This question was asked at the meeting held in February-March 1926, when an *ad interim* reply was given.

The Honourable Sir CHUNILAL MEHTA (a) The cost of construction of *choudis* in khalsa villages is shared between Government, local boards and the villagers but not in any fixed proportion. In the case of inam villages in the Northern Division mandars construct *choudis* in their villages at their cost and consider them to be their private property. In the Central Division allotments from Government fund are allowed towards building *choudis* in these villages on the conditions that mandars and the local population do not refuse generally to pay a required contribution towards the cost and the mandar does not claim the right of building his property afterwards. In the Southern Division there appears to be no distinction between khalsa and inam villages.

(b) The *choudis* are used for Government and mandar purposes as well as for rest houses, social gatherings of villagers and meetings of village panchayats and such other purposes.

(c) The responsibility of maintenance and repair to *choudis* devolves on Government in the case of both the khalsa and inam villages generally except that in the Northern Division mandars are responsible for the upkeep of these buildings which are considered to be their private property.

#### DISPUTES BETWEEN VILLAGERS AND MAHARS IN POONA DISTRICT

\*MR. N. R. GUNJAL (Poona District) Will Government be pleased to state—

(a) whether they or their district officers, during the annual tour have heard of any disputes in the Poona district between the villagers and Mahars regarding the ownership of the skins of dead animal especially in cases in which the Mahars are suspected of having poisoned such animals;

(b) whether the villagers have, owing to such disputes, stopped giving the usual bread to Veskar Mahar;

(c) if the answer to (a) be in the affirmative will Government be pleased to state in which of the villages such disputes have been settled through the intervention of Government officers and in what manner?

The Honourable Sir CHUNILAL MEHTA (a) No specific instances of cases of this nature have been brought to the notice of Government. The Collector however reports that he has heard of such cases.

(b) Yes. In some cases.

(c) No legal machinery for the settlement of such disputes exists. No Government officer has jurisdiction in the matter except in the few cases where the right to such skins is noted in the Watan Register as forming part of the remuneration attached to the watan. In such cases the dispute in regard to it can be settled under section 12 of the Watan Act.

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\* This question was asked at the meeting held in February-March 1925, when an *ad interim* reply was given.

but they are not common. No such disputes have been settled in the Poona district during the last three years.

#### LAW TOURS

MR. N. R. GUNIAI (Poona District) Will Government be pleased to state whether any list of tour is framed and published by the District Judge, Sessions Judge, District Magistrate or revenue officer from his own courts and court subordinate to him under section 36 of the Local Practitioners Act XVIII of 1879?

The Honourable Mr. J. L. RIEU The answer is in the negative as regards the Poona district. Lists have however been published in some other districts in the Presidency proper and Sind.

#### AFANDI AND JIJITH WATHI SUPPLY

MR. N. R. GUNIAI (Poona District) Will Government be pleased to state whether they have under consideration any schemes for improving the water supply at Afandi and Jijith which are great centres of pilgrimage in the Poona district?

The Honourable Sir GHULAM HUSSAIN The reply is in the affirmative.

#### VERDICTS OF THE HIGH COURT AND DISTRICT COURTS

MR. N. R. GUNIAI (Poona District) Will Government be pleased to state

(a) the number of cases reported to the High Court of Bombay under sections 25 and 26 of the Bombay Pleaders Act 1920,

(b) the number of cases in which inquiry was held under section 26 of the Act but was not reported to the High Court

(c) the number of cases under section 28 of the Act,

(d) the result of such cases as were reported to the High Court for the last three years,

(e) whether the record of any proceedings of any subordinate court in which the pleader was acquitted was ever called for by the High Court during the last three years?

The Honourable Mr. J. L. RIEU (a) and (d) During the three years 1922, 1923 and 1924 there were 38 cases. In 18 no action was taken. In 4 apologies were accepted. In 2 reprimands were administered. In 12 the pleaders were suspended and in 2 Sanads were cancelled.

(b) 18.

(c) 5.

(e) In the negative.

## GRAZING IN DONDE

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether the Collector of Poona or the Forest Department have received any applications from the villagers of Donde in taluka Khed of the Poona district in the matter of grazing their cattle in the forest as hitherto on the payment of prescribed fees?

(b) what action do Government propose to take in the matter?

The Honourable Mr. A. M. K. DEHLAVI: (a) and (b). The Collector of Poona had received two applications from the villagers of Donde, taluka Khed, for the continuance of the facilities for grazing in forest lands of the village on payment of prescribed fees. The applications were enquired into and it was found that the villagers have no grounds to complain. The total forest area of the village is 424 acres. The number of the village cattle according to the recent census held in January 1925 is 686. Out of the total forest area of 424 acres, an area measuring 309 acres is open to the villagers for grazing on payment of the prescribed fees. The remaining area is sold to the villagers on grazing condition. Thus the whole of the forest area is practically open and available for grazing purposes. The villagers have been informed accordingly by the Collector. Government do not consider it necessary to take any further action in the matter.

## SPECIAL AUDIT ENQUIRIES IN DISTRICT COURTS.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) Why they instituted special audit inquiries in the case of the district court accounts of Poona and Sholapur only and did not extend the enquiry to the accounts of all the district courts of the presidency?

(b) What were the results of the special audit inquiries recently held of the accounts of the Sholapur and the Poona district courts?

The Honourable Mr. J. L. RIEU: (a) The audit was instituted at Poona on the advice of the Inspecting High Court Judge. At Sholapur it was instituted as the result of the discovery of certain irregularities. A scheme has now been drawn up for the audit of the accounts of minors' estates under the Courts in all the districts of the Presidency.

(b) The Audit Report for Poona has not yet been received. At Sholapur certain defalcations were discovered.

Mr. M. B. POWAR: When is the audit report expected?

The Honourable Mr. J. L. RIEU: I want notice of the question.

## HANDING OVER CHARGE TO SCHOOL BOARDS.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state the approximate date from which they expect to hand over the charge of educational matters to the school board of the district local board of Poona?

The Honourable Mr. B. V. JADHAV : The board was asked to take over charge from June, but it was not ready to do so. The Department is ready to hand over charge and it rests with the board to take it.

Dr. R. P. PARANJPYE : What steps do Government intend to take if a local board refuses to take charge of the schools ?

The Honourable Mr. B. V. JADHAV : I do not think the Act empowers Government to force a district local board.

#### IRRIGATION WATER FOR INDAPUR TALUKA VILLAGES.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state whether they have under consideration any scheme to provide irrigation water for certain villages of the Indapur taluka from the right or left bank canal of the Nira river ?

The Honourable Mr. COWASJI JEHangIR : The information is being called for.

#### KHED AGRICULTURAL EXHIBITION FUND.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) The balance with interest up to the end of January 1925 from the fund collected for the Agricultural Exhibition held at Khed, taluka Khed, district Poona, in 1913-14 ?

(b) To whom does the balance belong ? Have the representatives of the public any concern in the disposal of that balance ?

(c) Has any amount been disposed of out of that balance and if so, how much and for what purpose and with whose consent ?

The Honourable Mr. A. M. K. DEHLAVI : (a) Rs. 2,914-14-0 (up to 6th May 1925).

(b) The Fund vests in the Director of Agriculture and the Mamlatdar of Khed Taluka as trustees. In pursuance of the conditions of the trust the interest accruing from the fund is paid to the Taluka Agricultural Development Association which can dispose of it at option.

(c) Amounts aggregating Rs. 264-6-0 have up to now been paid by the trustees to the Association for its purposes.

#### BREAKDOWN OF SOMAWADI BUND.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they are aware that the Bund erected by Messrs. Tata and Co., near Somawadi gave way on the 14th July 1925 causing much damage to life and property ?

(b) if so, what is the extent of the loss to human lives, loss of cattle and loss of landed property in the neighbouring villages ?

(c) Is it the intention of Government to compensate the injured parties and if so, on what basis ?

(d) What safeguards have Government laid down for the protection of the public against such accidents ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

b) The information will be furnished later.



- (c) The information will be furnished later
- (d) The matter is engaging the attention of Government

#### TOLLS IN POONA DISTRICT.

Mr. N. B. GUNJAL (Poona District): Will Government be pleased to state—

(a) the names of all the toll and check nakas in the Poona district and the income to Government or to the local board from them separately for the year ending March 1925.

(b) Which of them are on the Provincial roads and which on local board roads?

(c) Whether Government intend to abolish any toll nakas during 1926-27?

The Honourable Sir GHULAM HUSSAIN: The necessary information has been called for.

#### ENGLISH IN PRIMARY SCHOOLS.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state whether the experiment of teaching English up to 3rd standard in certain selected schools teaching full primary course has proved successful?

The Honourable Mr. B. V. JADHAV: Information is being collected.

#### BRIDGE OVER THE KUKDI RIVER.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether they are aware of the hardships caused to the travelling public and agriculturists owing to the want of a bridge over the Kukdi river near Pimpalwandi in the Junnar taluka of the Poona district;

(b) if so, do they propose to take any action in the matter.

The Honourable Sir GHULAM HUSSAIN: (a) Yes.

(b) The building of a bridge or causeway is under consideration.

#### KARTIKI FAIR, ALANDI.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether their attention has been drawn to the great inconvenience caused to thousands of pilgrims in the matter of water and sanitary arrangements during the last Kartiki Fair at Alandi in taluka Khed of the Poona district;

(b) if so, whether they propose to take any action in the matter?

The Honourable Mr. B. V. JADHAV: (a) There was no serious inconvenience caused to the pilgrims. The engine for supplying water frequently failed but the deficiency was made up by the hand pumps set up by the Municipality on the well in the Municipal office and on the Bhagirathi Kund.

(b) Steps are being taken to provide Alandi with a permanent water supply.

#### STENDIARY PATILS, POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether they have appointed any stendary patils in the Poona District under section 16 of the Bombay Land Revenue Code?

(b) If so, where?

The Honourable Sir CHUNILAL MEHTA: The collection of the required information since the Land Revenue Code came into force in 1879 would involve much time and labour. The following information in respect of the last ten years only is therefore given.

(a) Yes.

(b) In the following villages:—

Taktarwadi, taluka Indapur  
Holgundwadi, taluka Indapur  
Wafgaon, taluka Khed  
Kadus, taluka Khed.  
Bahuli, taluka Haveli.

#### WATER CESS AT DONDE.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether the district deputy collector, Western Division, Poona, received any application in January last from the agriculturists of the village of Dondé in the Khed taluka of the Poona district in the matter of remission or exemption from the payment of water cess of the *nalla* water on the ground that there was not sufficient water in the *nalla*?

(b) If so, will they be pleased to state what action they have taken or propose to take?

The Honourable Sir CHUNILAL MEHTA: (a) Yes.

(b) No remission was given as there was no scarcity of water.

#### WATANDAR PATILS.

Mr. N. R. GUNJAL (Poona District): (a) Will Government be pleased to state how many watandar patils there are in the Poona District who have not got watan lands and who are not given a living wage or even a peon's pay?

The Honourable Sir CHUNILAL MEHTA: There are in the Poona District 337 watandar patils who have no watan lands and whose cash remuneration does not exceed the annual pay of a peon. As for a living wage, a patil is not a full-time servant of Government.

#### DISTRICT LOCAL BOARD SCHOOLS BOARDS.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state the probable date on which the actual charge of Primary Education will be transferred from the Educational Department to the School Board of the District Local Board, Poona?

The Honourable Mr. B. V. JADHAV : The attention of the Honourable Member is invited to the reply given at the current session to his other similar question of the same subject.

#### UNEMPLOYMENT IN THE PRESIDENCY.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they are aware that many educated persons in this presidency are without any employment ;

(b) whether they are aware that for one advertised vacancy a number of applications is received in almost all the Government departments ?

The Honourable Mr. COWASJI JEHangIR : (a) Yes.

(b) In a very large majority of cases there are a number of applications.

#### ACKNOWLEDGMENT OF RECEIPT OF APPLICATION MADE TO GOVERNMENT OFFICERS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state what steps they have taken to ensure that their officers—especially the taluka and Mahal officers—acknowledge promptly the receipt of any application or representation made to them as laid down in Government Resolution, General Department, No. 1013, dated 19th December 1921 and 25th May 1922, to ensure the applicant that his case has not been mislaid ?

The Honourable Mr. J. L. RIEU : Every officer is expected strictly to observe the order issued by Government. So far no complaints that petitions or applications have not been promptly acknowledged have been received by Government.

#### ALANDI MUNICIPAL SCHOOL TEACHERS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether it is a fact that the municipality of Alandi in the Poona district have made no payment to their teachers for the last four months ;

(b) whether the educational authorities received any application from the teachers of the said municipal schools ;

(c) whether on receipt of such representations by the educational authorities, the municipality paid only some of the teachers ;

(d) whether the pay of the remaining teachers is still to be paid ;

(e) whether this is due to the publication by Government of the date of handing over charge of the primary education by the Educational Department to the district local boards ;

(f) what action Government have taken in the matter ?

The Honourable Mr. B. V. JHADAV : Enquiries are being made

## QUALIFICATIONS OF TALATIS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether the talatis who have been appointed in the place of watandar kulkarnis are required to pass any educational or revenue departmental examination as qualification for their appointment before or after the appointment;

(b) whether there is any difference between the qualifications and the efficiency of the old watandar kulkarnis and the present talatis?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) Yes.

## ENGLISH IN PRIMARY SCHOOLS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state whether the experiment of teaching English up to 3rd standard in certain selected schools teaching full primary course has proved successful?

The Honourable Mr. B. V. JADHAV : Attention is invited to the Educational Department Press Note no. 605, dated the 12th June 1922, a copy of which will be found in the Reading Room for the Honourable Members of the Legislative Council.

## FEEDER RAILWAY TO NARAYANGAON.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they have received any communication in the matter of construction of a feeder railway line from either Talegaon, Chinchwad or Kirki to Narayangaon from the president of the district local board, Poona;

(b) if so, what action has been taken in the matter?

The Honourable Sir CHUNILAL MEHTA : (a) and (b) Attention is invited to the reply given to portion (c) of question\* put at the Legislative Council meeting held in February 1925.

## INDIGENOUS DRUGS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to supply a list of indigenous drugs, the properties of which have been investigated at the Parel laboratory or elsewhere, and which have been found useful and are already in use in Government institutions so that the several local boards and municipalities may be able to make use of them?

The Honourable Mr. B. V. JADHAV : Information is being obtained.

PROCEEDS OF KHED AGRICULTURAL AND CATTLE SHOW.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) what is the amount of the balance of the Agricultural and Cattle show held about the year 1914 at Khed of the Poona District, and in whose charge it is ;

(b) whether the said fund was drawn against at any time and if so under whose orders and to what extent and for what purpose ?

The Honourable Mr. A. M. K. DEHLAVI : (a) The balance of the fund on 6th May 1925 was Rs. 2,914-14-0. The fund vests in the Director of Agriculture and the Mamlatdar of Khed Taluka as Trustees :

(b) in accordance with the conditions of the Trust interest aggregating Rs. 264-4-0 has up to now been paid by the Trustees to the Taluka Development Association which can dispose of the money at its discretion.

THE PRIMARY EDUCATION ACT, 1923.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they intend to define the word " women " occurring in Rule 17 (i) 2 and word " minorities " in rule 17 (i) 3 of the Rules under the Primary Education Act, 1923, taking into consideration that this vagueness has caused much inconvenience ?

(b) whether it is a fact that the heading " minorities " in the Poona and other Maharashtra districts in the rural areas excluding municipal districts includes Brahmmins ?

(c) whether no representative of a district local board is necessary on its school board ?

(d) whether the principle adopted in Government Resolution No. 3608 dated 1st June 1925 in the matter of representation of district board members on its school board is in accordance with the opinion of the Remembrancer of Legal Affairs quoted in Government Resolution No. 2534-1239-F, dated 16th March 1925 ?

The Honourable Mr. B. V. JADHAV : (a) No. Government do not consider that the expressions are vague. The attention of the Honourable Member is, however, invited to Rule 18 and to Schedule B of the Bombay Primary Education Rules of 1924.

(b) No.

(c) The general members of the School Board of a District Local Board being elected by the District Local Board are the representatives of the Board though not necessarily members of it.

(d) Yes.

CONSUMPTIVE PATIENTS.

Mr. N. R. GUNJAL (Poona District) : (a) whether they are aware that the number of people suffering from consumption is increasing year after year in this presidency.

(b) what steps they have taken to provide free medicine and sanitary arrangements for very poor consumptive patients ?

The Honourable Mr. B. V. JADHAV : (a) No statistics of patients suffering from tuberculosis are available. The honourable member's attention is however invited to paragraphs 62-63 of the Report of the Director of Public Health for the year 1921 and to paragraphs 57-58 of the same report for 1923.

A statement\* showing the admissions of patients suffering from tuberculosis in the hospitals during the last five years is also placed on the Council Table.

(b) Special tuberculosis wards have been provided at the Jamshedji Jeejeebhoy and the Cama and Albless Hospitals, and Government give grants-in-aid to the King George V Ante-Tuberculosis League, Bombay, and the Municipal Tuberculosis Dispensary at Karachi, all of which are for the benefit of poor patients.

#### DACOITIES IN POONA.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state whether they have been able to trace the offenders in the dacoities and robberies which recently took place in or near Poona in the houses of Rao Bahadur Kenjale and Mr. Mandke, contractors ?

The Honourable Mr. J. L. RIEU : In the first case the offenders have not been traced. In the second a gang of Ghantichors has been arrested and enquiries are proceeding.

#### SHINGNAPUR MAHADEO AND BHULESHWAR TEMPLES.

Mr. N. R. GUNJAL (Poona City) : Will Government be pleased to state—

(a) whether their attention has been drawn by the Archaeological Department to the condition of the temples of Shingnapur Mahadeo and Bhuleshwar near Yewat :

(b) whether they propose to take any steps in the matter ?

The Honourable Mr. COWASJI JEHangIR : Inquiries are being made.

#### LAND ACQUISITION IN MALI AND MUNJERI.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) the cost of acquisition of plots of land for settlement in the villages of Mali and Munjeri in taluka Haveli of the Poona district ?

(b) the price realised by the sale of these plots by public auction ?

The Honourable Sir CHUNILAL MEHTA : Information has been called for.

#### POONA AGRICULTURAL COLLEGE.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to supply the following information :—

(a) the number of students who left the Poona Agricultural College after completing their course during the three years ending March 1925

\* Vide Appendix No. 17.

(b) how many of them were employed in the agricultural department and how many were engaged in agricultural field

(c) whether the Agricultural Department has any field extension experiments in their belts?

The Honourable Mr A. M. K. BHILLAI

(a) 14

(b) 22 in the Agricultural Department, Bombay

22 in the Agricultural Department, Bombay

1 in the Agricultural Department, Central Provinces

2 in the Agricultural Department, Ceylon

1 in the Revenue Department, Bombay

1 in Indian Staff, Mysore

1 in private service

No information about the rest (80) is available. Most probably many of them are engaged in their own agricultural affairs.

(c) It is not possible to give any information on the point.

#### SCHOOLS FOR THE BLIND, DEAF AND DUMB

Mr N. R. GUNJAL (Poona District). Will Government be pleased to supply the following information:

(a) the number of schools in this Presidency for giving instruction to blind, deaf and dumb persons,

(b) whether grants are given by them to such schools conducted by private bodies?

The Honourable Mr B. A. JADHAV. (a) and (b) There are six schools for defectives in this Presidency, three for the blind and three for deaf and dumb. They are in receipt of grants in aid as follows:

	Grants in aid in 1924-25
1. The American Mission School for the Blind, Bombay	Rs. 1,028
2. The Victoria Memorial School for the Blind, Bombay	2,640
3. The Ida Rieu Poor Welfare Association's School for the Blind, Karachi	800
4. Professor Datta's School for deaf-mutes, Bombay	1,160
5. The Institution for deaf-mutes, Bombay	1,064
6. The School for deaf-mutes, Ahmedabad	1,067

#### FOREST LAND SUITABLE FOR CULTIVATION IN THE POONA DISTRICT

\* Mr N. R. GUNJAL (Poona District). Will Government be pleased to state—

(a) the total area of forest land in the Poona district which is suitable for cultivation in each taluka,

\* This question was asked at the meeting held in February-March 1925, when an *ad interim* reply was given.

(b) the steps taken by Government to make such lands available to very poor cultivators who have very little or no land for cultivation.

(c) the area of pasture or forest lands wherein cattle are allowed to graze on payment of grazing fees and the extent of such lands in the District Forest and Revenue Departments separately in each taluka of the Poona District.

(d) the number of cattle in each taluka and petha according to last available figures.

The Honourable Mr. A. M. K. DELHLAVI: (a) (c) and (d) The appended statement contains the required information.

(b) Steps are taken to give out the land for cultivation on application from the cultivators.

#### WEIGHTS AND MEASURE IN POONA WEEKLY BAZAARS

Mr. N. R. GHOSAL (Poona District): Will Government be pleased to state:

(a) whether they have made any special arrangement to inspect weight and measure in the Bazaris in villages of the Poona district where weekly market are held.

(b) if not, whether they propose to take any steps in the matter.

The Honourable Sir GHULAM HUSSAIN: (a) No.

(b) The recommendations regarding the standardization of weights and measures in the Bombay Presidency received from the Committee appointed by Government are under consideration.

#### COMMUTATION OF KULKARNI WATANS

Mr. N. R. GHOSAL (Poona District): Will Government be pleased to state:

(a) whether they or their revenue officers have received any memorial recently from the watandar kulkarnis of Poona and other districts complaining of their grievances in the matter of commutation of their watans.

(b) if so, whether Government have arrived at any decision in the matter?

The Honourable Sir CHUNILAL MEHTA: (a) Memorials have been and are being received by Government asking for restoration of watans which have already been commuted.

(b) No.

Mr. P. G. JOSHI: When are Government going to arrive at a decision regarding these watans?

The Honourable Sir CHUNILAL MEHTA: I am afraid I cannot tell you.

Mr. P. G. JOSHI: After the suits have been filed by the kulkarnis?

The Honourable Sir CHUNILAL MEHTA: I am afraid I do not follow the question.



Mr. P. G. JOSHI : I want to know when is the Government going to come to a decision about the kulkarnis' watans, after the suits are filed or before?

The Honourable Sir CHUNILAL MEHTA : I can only tell you that Government are not yet in a position to say when the decision will be arrived at.

Mr. S. S. DEV : Is the Government aware that it is a matter affecting thousands of kulkarnis and that during the last session Government gave an assurance that the matter would be decided before the time for filing suits expires?

The Honourable Sir CHUNILAL MEHTA : I do not remember any such assurance having been given.

Mr. P. G. JOSHI : Does the honourable member know that many suits are likely to be filed for the restoration of kulkarni watans and notices have been given to that effect to Government?

The Honourable Sir CHUNILAL MEHTA : I have not seen them.

Mr. J. C. SWAMINARAYAN : Does Government undertake the responsibility for the costs? Who is responsible for the costs of these suits?

The Honourable Sir CHUNILAL MEHTA : Government will take all these matters into consideration in arriving at their decision.

Mr. S. S. DEV : Will Government be pleased to arrive at a decision early so as to avoid heavy expenditure being incurred both by Government and private individuals?

The Honourable Sir CHUNILAL MEHTA : Government will take all these matters into consideration. Government do not wish to land themselves into unnecessary expenditure, nor do they want the kulkarnis to incur any unnecessary expenditure.

#### GRIEVANCES OF NIRA LEFT BANK CULTIVATORS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they have received any memorials from or on behalf of the farmers who irrigate their lands by the Nira Left Bank Canal about their grievances under the new rules;

(b) if so, what action do they propose to take in the matter?

The Honourable Mr. COWASJI JEHangIR : Information has been called for.

#### DATE OF INTRODUCTION OF PHOTO-COPYING SYSTEM.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) the date from which in 1921 the system of copying by hand was discontinued and the system of copying the documents by photo was commenced in the several registry offices;

(b) what is the number and date of the order by which Government made this change ?

The Honourable Mr. A. M. K. DEHLAVI : (a) The following are the dates from which the photo-copying system was introduced in 1921 in the several Sub-registry offices :—

Date.	Name of Sub-registry office.
25th April 1921	.. Haveli Nos. I and II.
1st July 1921	.. Loni Kalbhor (now Haveli No. III)
Do.	.. Chinchwad (Haveli No. IV).
15th July 1921	.. Maval.
Do.	.. Satara.
1st August 1921	.. Sholapur.
22nd August 1921	.. Ahmedabad.

Ahmedabad and Satara were cut out from the middle of October 1921, as the staff at the Photo office could not cope with so many offices while there was only one camera.

(b) The introduction of the system as an experimental measure for six months in the first instance was approved by Government Resolution No. 1590, dated 11th June 1921.

#### INAM VILLAGE SURVEYS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state whether they have given assurances to the Inamdars of unsurveyed villages in Taluka Khed of the Poona District that by the introduction of survey settlement their Galkali and other rights will not be interfered with and their yearly revenue will not be diminished having regard to survey rates in the neighbouring villages ?

The Honourable Sir CHUNILAL MEHTA : No.

Sardar G. N. MUJUMDAR : Are there any other Inamdars in the Poona or other districts who have been given such assurances ?

The Honourable Sir CHUNILAL MEHTA : The answer says that no assurance has been given.

Sardar G. N. MUJUMDAR : Yes, but that refers to Inamdars in the Khed taluka of the Poona district ; but I want to know whether other Inamdars in Poona and other districts have been given such assurances ?

The Honourable Sir CHUNILAL MEHTA : Surely, I must have some notice of that question.

#### TANKS IN POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to supply the following information relating to the tanks in each taluka and petha of the Poona District :—

- (1) Name of taluka or petha.
- (2) Number of tanks in each.
- (3) Number of public tanks.

(4) How many are in charge of Public Works Department, how many in charge of Revenue Department and how many are transferred to municipalities ?

(5) Was any revenue collected from the public tanks during the year 1923-24 ? If so, how much and on what account ?

(6) Was any amount spent on the repairs of public tanks during 1923-24 ?

(7) Number of new tanks excavated during 1923-24 and the number of old tanks abandoned during the same period.

(8) Number of unfinished tanks like the one named Victoria tank near Varvand in Bhimthadi taluka.

(9) Whether there is any possibility in the near future of finishing the tanks classed in (8) ?

The Honourable Mr. COWASJI JEHANGIR : The information required is contained in the attached statement\*.

#### TOLLS IN POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) the names of all the toll and check Nakas in the Poona District and the income to Government or to the Local Board from them separately for the year ending March 1925 ?

(b) Which of them are on the Provincial Roads and which on Local Board Roads ?

(c) Whether Government intend to abolish any toll Nakas during 1926-27 ?

The Honourable Sir GHULAM HUSAIN : (a) and (b) The required information will be found in the accompanying statement†.

(c) It cannot be stated at present whether any toll nakas will be abolished during the year 1926-27.

#### CULTIVATION OF BOUNDARY STRIPS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they are aware that most of the boundary strips are ploughed or sown or otherwise used for cultivation in the Khed Taluka of the Poona District ?

(b) If so, whether they propose to take any action in the matter ?

(c) Whether such vacant strips are deducted from the holding of an occupant for the purpose of assessment ?

The Honourable Sir CHUNILAL MEHTA : (a) There is a tendency to plough up boundary strips in the taluka.

(b) The question is under consideration.

(c) No.

\* *Vide* Appendix No. 19.

† *Vide* Appendix No. 20.

## SLAUGHTER OF ANIMALS.

Mr. M. D. KARKI on behalf of Mr. V. N. JOG (Dharwar District) : Will Government be pleased to furnish information as to the exact number (or in the absence of exact numbers, fairly accurate numbers) of bovine cattle classified according to their kinds that are slaughtered in this presidency each year for food and hides ?

The Honourable Sir GHULAM HUSSAIN : The Honourable Member's attention is invited to the reply given by Government to the question put by the Honourable Member for Kanara District at page 10 of Ninth list of Legislative Council report of the second session, 1925.

## CULTURABLE WASTE AND CURRENT FALLOW.

Mr. M. D. KARKI on behalf of Mr. V. N. JOG (Dharwar District) : Will Government be pleased to state the total acreage of land in the presidency fit for cultivation lying idle and classed as "culturable waste" and "current fallows" ?

The Honourable Sir CHUNILAL MEHTA : The Honourable Member is referred to Appendix A of the Season and Crop Report of the Bombay Presidency for 1923-24 which contains the required information for the years 1922-23 and 1923-24.

## PRINTING OF LOCAL BOARD VOTERS' LISTS.

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

(a) the amount of expenditure incurred by them in accordance with Government Resolution No. 2277 of 30th October 1924, General Department, for printing the voters' lists for the various taluka local boards and the district local board of Kanara and the number of copies printed in each case ?

(b) the number of copies of the complete electoral roll of the district local board printed by them ; and

(c) if most of them are required for publishing in towns and villages why are not portions of the lists relating to particular localities prepared ?

The Honourable Sir GHULAM HUSSAIN : (a) Rs. 4,320-5-9.

The number of copies of voters' lists printed is given below :—

	Non-Mahomedan.	Mahomedan.
Kanara District Local Board .. .. .	2,900	2,900
Karwar Taluka Local Board .. .. .	160	160
Ankola Taluka Local Board .. .. .	220	220
Kumta Taluka Local Board .. .. .	300	300
Honavar Taluka Local Board (including Bhatkar Petha) .. .. .	370	370
Siddapur Taluka Local Board .. .. .	450	450
Sirsi Taluka Local Board .. .. .	575	575

	Non-Mahomedan	Mahomedan
Yellapur Taluk Local Board (including Mundgod Petha)	730	730
Haliyal Taluk Local Board	750	750
Supri Taluk Local Board	850	280
(b) Non-Mahomedan	2,900	
Mahomedan		2,900

(c) Government issued orders that full copies of the voter list should be published in each village.

Mr M. D. KARKI : Is the Honourable Minister to state that the elections which were to take place in the month of November last had to be postponed on account of some unforeseen circumstances and does this cost refer to the expenditure incurred for the elections postponed?

The Honourable Sri GHULAM HUSSAIN : The reply is as printed.

Mr M. D. KARKI : Does the cost refer to the expenditure incurred on account of the postponement of the elections postponed?

The Honourable Sri GHULAM HUSSAIN : The reply is quite clear. I do not understand what the honourable member means.

#### COMMUNAL ASSIGNMENT OF " BETTAS "

Mr M. D. KARKI (Kanara District) : Will Government be pleased to state

(a) whether there are any villages in each of the talukas and pethas of the above-mentioned portion of Kanara where *bettas* have been assigned collectively for the villages or groups of villages;

(b) if so, what those villages are and what are the reasons for so doing?

The Honourable Mr A. M. K. DEHLAVI : (a) and (b) Lists\* of villages in the above-mentioned talukas and pethas where *bettas* have been assigned collectively are placed on the Council Table. The reasons for such collective assignment were twofold.

(i) The existing practice, according to which the gardeners cut their *soppu* and *rab* collectively, and subsequently distributed the same according to each one's requirements.

(ii) The location and varying nature of the gardens (*sopari*, coconut or an admixture of both), coupled with the fact that the *betta* areas were not equally well-stocked with *soppu* yielding trees, precluded any reasonable expectation of arriving at individual assignments, acceptable to all the garden owners and co-sharers in the village. The group system was adopted with the consent of the garden owners themselves.

Mr. P. G. JOSHI : May I know what " Betta " means?

The Honourable Mr. A. M. K. DEHLAVI : I would refer the honourable member to Mr. Karki.

\* Kept in the Secretary's Office.

Mr M. D. KARKI (Bombay District) Will Government be pleased to state—

#### FREE GRAZING

\* Mr M. D. KARKI (Bombay District) Will Government be pleased to state—

(a) Whether the people have the right or privilege of free grazing in any part of the District?

(b) If so, the name of the District or localities where it prevails.

(c) Whether that right or privilege is a customary one or granted by Government?

(d) If the latter, what are the reasons which led to such a grant?

The Honourable SHRI NILAL MEHTA. A statement† furnishing the required information is placed on the Council Table.

#### HIGH COURT PLEADERS AS ADVOCATES OF THE HIGH COURT

Mr M. D. KARKI (Bombay District) Will Government be pleased to state—

(1) Whether they are aware that the Bar Committee appointed by the Government of India has recommended *inter alia* that all High Court pleaders of ten years' standing should be enrolled as Advocates of the High Court on their applying to be so enrolled?

(2) Whether they are aware that all the High Courts in India and Burma except the Bombay High Court have framed rules to give effect to the recommendations of the Bar Committee?

(3) Whether they are aware that the Western India Pleaders' Association and the Small Cause Court Vakils' Association have written to the Bombay High Court urging the claims of the High Court pleaders to be enrolled as Advocates?

(4) If so, will they be pleased to state the dates on which the said associations wrote to the High Court and the nature of the action the Bombay High Court has taken in the matter?

(5) If no action has been taken as yet what are the reasons for the delay?

The Honourable Mr J. L. RIEU. (1) Yes.

(2) Government have no information except with regard to Calcutta.

(3) Yes.

(4) and (5) The dates of the letters received from the Western India Pleaders' Association were 13th August and 21st October 1924 and that from the Small Causes Court Vakils' Association was 8th December 1924. The existing rules are already liberal in Bombay and any extension of them is not favoured by the High Court.

\* This question was asked at the meeting held in February-March 1925, when an *ad interim* reply was given.

† Vide Appendix No. 21.

## FOREST NAKAS IN KANARA.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the number of existing forest *nakas* in each of the divisions of Kanara together with the place of location, the year and cost of construction, the annual cost of repairs and maintenance and the capacity of each of them;

(b) the amount of occupation rent, if any, collected annually in each case?

The Honourable Mr. A. M. K. DEHLAVI: (a) There are in all 157 *nakas* in the Kanara Forest Divisions. The compilation of the detailed information asked for by the honourable member is regard to all these *nakas* would involve an undue amount of time and labour. Government therefore regret they cannot undertake it.

(b) No rent is charged for the occupation of the *nakas*.

## GARDEN LAND AND BETTA IN KANARA.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the total area of garden land in each of the above-ghat talukas and pethas of Kanara;

(b) the total area of *betta* assigned for the cultivation of such garden land in each of those talukas and pethas;

(c) if the area of the *betta* is proportionately less than the due area, the cause of such deficit and in what village or villages it has occurred?

The Honourable Mr. A. M. K. DEHLAVI: (a) and (b) The details of garden and *betta* areas in the above-ghat talukas and pethas are given below:—

Taluka.		Garden area.	Betta area.
		Acrea.	Acrea.
1.	Siddapur .. ..	7,218	50,368
2.	Yellapur .. ..	2,884	18,636
3.	Sirsi .. ..	5,831	48,457
4.	Haliyal .. ..	26	18
5.	Mundgod .. ..	55	221
6.	Supa .. ..	584	1,748

(c) The total area under "garden" cannot be taken as a whole for ascertaining the scale of *betta*. The gardens are either (1) purely betelnut, (2) purely cocoanut, or (3) mixed, and the scale of *betta* varies according to the nature of the garden and local circumstances. It is only in cases of real gardens assessed at garden rates that the question of granting *betta* arises. Hence, unless the particulars of gardens in each survey number or in each case are scrutinized, it is not possible to supply the information asked for as such scrutiny will involve an undue amount of time and labour. Government regret the detailed information asked for cannot be supplied.

## KANNADA SPEAKING IN BOMBAY AND ITS SUBURBS.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the number of people speaking Kannada (Kanarese) within the limits of the Bombay Municipal Corporation and the Bombay Suburban district respectively;

(b) the number of Kanada schools opened for the children of those people in those respective areas;

(c) if there are no schools opened as yet, whether there are any proposals either before them or the Corporation?

The Honourable Mr. B. V. JADHAV: The information is being collected.

## SIDDAPUR DISPENSARY.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) whether their attention has been drawn to a statement made in paragraph 3 of column 1 of page 9 of the "Kanara News" dated 13th August 1925, regarding the Siddapur dispensary?

(b) whether it is a fact that there is neither a midwife nor a woman servant attached to the said dispensary and that no female patients are therefore attending it?

(c) if so, whether they propose to take any action in the matter?

The Honourable Mr. B. V. JADHAV: Enquiries are being made.

## KANNADA READING ROOMS AND LIBRARIES IN BOMBAY AND ITS SUBURBS.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) whether there are any Kannada reading rooms or libraries in the city of Bombay and its suburban district; if so, how many, and where they are situated;

(b) if the reply is in the affirmative, whether they are private, municipal or Government;

(c) if private, are they aided either by the Bombay Municipal Corporation or by Government? If so, to what extent?

The Honourable Mr. B. V. JADHAV: Enquiries are being made.

## OCTROI ON BETEL-NUT IMPORTED WITHIN THE LIMITS OF SIRSI MUNICIPALITY.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) whether octroi is levied on betel-nut, cardamom and pepper brought within the municipal limits of Sirsi town;

(b) if so, from when? and what is the rate of octroi duty on each of the varieties;

(c) what is the total amount of octroi levied annually on each of the said three articles during the last two years;



(d) whether any portion of the amount of octroi levied on the said articles was refunded, if so, how much, and in how many cases;

(e) whether it is a fact that the importers of the said articles are made to pay double the amount of octroi even if they are allowed to pass within the municipal limits on account of the want of sufficient money to pay octroi at the Naka;

(f) whether they are aware of the hardship caused to agriculturists by this rule or by-law?

The Honourable Sir GHULAM HUSAIN: The information has been called for.

#### KANARESE BOOKS SANCTIONED BY GOVERNMENT AS LIBRARY AND PRIZE BOOKS.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to furnish a list giving the following information as regards Kanarese Books sanctioned by them as text books, library and prize books for use in primary as well as secondary schools in the Bombay Presidency:—

1. Serial No.
2. Name of the book.
3. Name of the author.
4. Name of the publisher.
5. Price per copy.
6. Purpose for which sanctioned.

The Honourable Mr. B. V. JADHAV: The following lists giving the information required are laid on the Council Table:—

(a) Two printed lists\* of books, maps, etc., in the various languages including Kanarese, sanctioned for use as text books or for libraries or prizes in primary and secondary schools as revised up to 31st August 1914.

(b) A printed list\* of Kanarese books sanctioned as text, library or prize books for use in primary and secondary schools from time to time during the period from 1st September 1914 to 31st March 1924.

(c) A typed list\* of Kanarese books sanctioned as text, library or prize books for use in primary and secondary schools from 1st April 1924 to 30th April 1925.

#### IMPORT OF BETEL-NUT, CARDAMOM AND PEPPER WITHIN THE LIMITS OF SIRSI MUNICIPALITY.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the quantity of betel-nut, pepper and cardamom brought annually into the municipal limits of the Sirsi town during the last two years from outside villages of Sirsi, Siddapur and Yellapur talukas;

(b) whether they are all consumed by the people of the Sirsi municipal town or exported to other business centres outside the said town;

\* Kept in the Secretary's office.

(c) if partly consumed locally, what is the quantity of each variety so consumed?

The Honourable Sir GHULAM HUSAIN: The information has been called for.

#### AFFORESTATION OF ARABLE LAND IN KANARA.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) why they decided to convert the arable land in Kuppadi in Sirsi Taluka in Kanara as described in the schedule to notification No. S-359 13799 appearing on page 2183 of the *Bombay Government Gazette*, Part I of 1925, into a reserved forest;

(b) whether it will be set apart for the use of the villagers or closed for growing forest?

The Honourable Mr. A. M. K. DEHLAVI: (a) The land referred to is situated in the midst of Forest proper. It had been lying waste for a long time.

(b) The question will be decided by the Forest Settlement Officer who has been appointed to hold inquiry in respect of the land under clause (c) of section 4 of the Indian Forest Act. The attention of the Honourable Member is invited to the fact that the notification referred to in clause (a) is only a preliminary notice.

#### HEADQUARTERS OF THE DIVISIONAL FOREST OFFICERS OF KANARA.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) what is the headquarter station of each of the Divisional Forest Officers of Kanara?

(b) whether any or all of them have any independent Government building to hold their office in their respective headquarters; if not, what arrangements are made for the purpose;

(c) whether these officers stay at their headquarters after the close of the touring season; if not, which of them do not stay and where they then stay;

(d) if some of these officers stay outside the limits of their charge, whether they take their establishments with them; and if so, whether any additional expenditure is borne by Government on that account;

(e) whether there are any Government orders allowing any of the Divisional Forest Officers of Kanara to stay with his establishments outside the limits of his charge.

(f) if so, will Government be pleased to place those orders on the Council Table?

The Honourable Mr. A. M. K. DEHLAVI: (a), (b), (c), (d), and (e)—A statement furnishing the required information is placed on the Council Table.\*

(f) Does not arise.

\* Vide Appendix No. 22.

## SPECIAL CASES OF REMISSION OF ASSESSMENT IN KANARA.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the names of the persons together with their place of residence who enjoyed remission of assessment to the extent of Rs. 62 in the year 1923-24 as special concessions on account of their help to the Forest Department;

(b) Under what rules or orders, these special concessions were accorded to them;

(c) what was the nature of the help rendered by them respectively;

(d) was it sought for under express conditions of remission of assessment or was it voluntary;

(e) if sought for, by whom and under what circumstances?

The Honourable Sir CHUNILAL MEHTA: (a) The names are as follows:—

1. Vithal Bhiku Shet, Fansoli
2. Pandurang Vithoba, Fansoli
3. Raghoba Vithoba, Fansoli
4. Vithal Paik, Fansoli
5. Gopikabai Vithal, Fansoli
6. Mathu Govind, Patilwada
7. Bhagirathi Pundlik, Birnoli
8. Krishna Bhiku, Virnoli.

(b) Under Government Order, Revenue Department, No. 6573 dated 15th June 1918.

(c) The people supplied labour on wages for clearing the compartment lines and helped to keep out jungle fires.

(d) The remissions were granted to persons who voluntarily rendered help by supplying labour.

(e) Does not arise.

## EAST COLABA RECLAMATION STAFF.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state how much staff of superior officers has been reduced owing to the abandonment of the East Colaba Reclamation?

The Honourable Mr. COWASJI JEHangIR: The only work carried out for the East Colaba Reclamation was a portion of the rubble mound last season when the whole output of the quarry was not required for the Back Bay Reclamation. No extra superior staff was therefore required or engaged for the work and there were no reductions on its cessation.

Mr. LALJI NARANJI: Am I correct in understanding from the reply given that no reduction has been made in the superior staff, in spite of the cessation of the East Colaba Reclamation Scheme?

The Honourable Mr. COWASJI JEHangIR: That is the answer.

## SUBURBAN DEVELOPMENT SCHEMES.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to supply a statement showing the different

suburban schemes, their cost and the sums recovered from the sales, also the cost of maintaining those schemes and whether such cost includes any part of the overhead charges of the officers?

The Honourable Mr. COWASJI JEHangIR: It is hoped that the information will be made available shortly.

The cost of schemes includes all overhead charges. These are distributed *pro rata* over the schemes.

Mr. LALJI NARANJI: May I know whether the information that will be given shortly will also give separate information with regard to the overhead charges and the actual charges of these schemes?

The Honourable Mr. COWASJI JEHangIR: That will depend upon the question. I will give separate figures in the answer if they are asked for.

Mr. LALJI NARANJI: The information, as is stated in the printed reply, is to be supplied shortly. I want to know whether that information will give separately what the overhead charges and the actual cost of the schemes are.

The Honourable Mr. COWASJI JEHangIR: If the honourable member makes his question perfectly clear and asks for this further information, it will be supplied to him.

Rao Sahab D. P. DESAI: Are these suburban schemes working at a profit, or at a loss?

The Honourable Mr. COWASJI JEHangIR: I will give the honourable member full details as regards the present position of these schemes if he asks for the information.

Mr. B. G. PAHALAJANI: The Honourable Member says that the information will be supplied shortly. Will it be made available at the time of the discussion of the schemes at Budget time, or afterwards?

The Honourable Mr. COWASJI JEHangIR: The honourable member will find in the Blue Book the sales expected in the coming year and the sales that have been effected in the current year. Will that help the honourable member?

Mr. B. G. PAHALAJANI: I have looked at the Blue Book, and so far as I and the other Sind members are concerned, we would like to know what "information will be supplied shortly" means. Does it mean at the time of the Budget or after the Budget is disposed of?

The Honourable Mr. COWASJI JEHangIR: I can assure the honourable member that the answer is not being delayed deliberately. It is very probable that the information is being collected, and it will be given as soon as possible. We do not delay answer deliberately. I will take a note of this request, and try my best to get the statement ready in a day or two.

Mr. J. C. SWAMINARAYAN: When the schemes are so long in progress, cannot Government yet say whether they are working at a loss or a profit?

The Honourable Mr. COWASJI JEHLANGIR : The whole question is before the Advisory Committee. The policy of Government has been announced, and there has been no change in that policy. There will be no further expansion of any of the suburban character, and there is a demand for more land.

Rao Sahib D. P. DESAI : Then you are working at a loss.

The Honourable Mr. COWASJI JEHLANGIR : The question is not quite clear. Mr. President, as to what is exactly meant by 'working at a profit or loss.' We have developed certain land which has cost us a certain amount. That land is for sale. The profit or loss will depend upon how much we realise by the sale of that land, and when we shall sell it.

Mr. J. C. SWAMINARAYAN : What is the total estimated loss?

The Honourable Mr. COWASJI JEHLANGIR : I refer the honourable member to the report of the advisory committee where the whole question has been dealt with.

Rao Sahib D. P. DESAI : What is the true opinion of Government?

#### DEVELOPMENT DEPARTMENT DEFERRED INSTALLMENT SYSTEM OF ADVANCES.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state

- (a) what amount has been advanced under the deferred installment scheme and the names of persons to whom payments have been made;
- (b) how much more money has been spent by each of such persons?

The Honourable Mr. COWASJI JEHLANGIR : (a) and (b) Government consider that the publication of the names of persons will serve no useful public purpose. The other details required of each loan are given in the statement appended.\*

Mr. LALJI NARANJI : From the statement appended to this question may I know from Government whether they are intending to ask for margin in view of the fall in land prices and the price for building materials?

The Honourable Mr. COWASJI JEHLANGIR : At the time Government decided this policy, they considered that they were proceeding on a safe basis. If the honourable member thinks that the matter requires reconsideration Government will be pleased to reconsider the position and see that they are in a safe position.

Mr. D. B. ADWANI : Is it open to do so under the terms of the contract.

The Honourable Mr. COWASJI JEHLANGIR : I would look into it.

Mr. D. B. ADWANI : Are the names being withheld because it is an official secret?

The Honourable Mr. COWASJI JEHangIR : In the interest of the public themselves, Government do not desire to give the names of citizens who have taken loans.

#### EAST COLABA RECLAMATION.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state—

(a) what amount has been spent on the East Colaba Reclamation which is closed up for the present on the recommendation of the Committee ;

(b) whether such amount must be taken as lost and what is such amount ?

The Honourable Mr. COWASJI JEHangIR : (a) The total expenditure on the scheme, inclusive of the cost of land acquired for it, and interest and general charges up to end of March 1925 amounts to Rs. 7,11,535.

(b) Until it is decided to abandon the scheme finally, it is not possible to say whether the money spent on the scheme has been lost. In any case the major portion of the expenditure on the scheme stated in reply to clause (a) above represents the cost of acquisition of land for the scheme and this can be resold if the scheme is finally abandoned.

Mr. LALJI NARANJI : In view of the statement made by the Honourable the General Member at the last budget session that the scheme would be abandoned, would it not be desirable for Government either to write off the amount and resell the lands that have been acquired ?

The Honourable Mr. COWASJI JEHangIR : We followed the advice of the advisory Committee that the scheme should be postponed. If Government come to the conclusion that it would be advisable to abandon the scheme, I assure the honourable member that they will do so.

Mr. LALJI NARANJI : Will Government tell us what will be the loss in case the lands are resold ?

The Honourable Mr. COWASJI JEHangIR : I have not got the figures ready to answer the honourable member's question.

#### BACK BAY RECLAMATION.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state—

(a) the total amount spent on the Back Bay Reclamation from the very beginning up to the year ending 31st March 1925 or the figure available up to the last available date ;

(b) whether it is a fact that work on the Back Bay is done also at night time ;

(c) whether the estimated cost of Rs. 28 per square yard for the Back Bay Reclamation Scheme will be reduced or increased ? If so, by what figure ?

The Honourable Mr. COWASJI JEHLANGIR : (a) The expenditure to the end of March 1925 on the scheme, including interest and general charges, amounts to Rs. 1,96,09,365.\*

(b) Yes.

(c) The honourable member is referred to the second and third report of the advisory committee appointed by the Government to enquire and report on the working of the Bombay Reconstruction Scheme, published on the 26th January 1926.

#### DEVELOPMENT DEPARTMENT CHAWLS.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state—

(a) whether 18,000 tenements have been finished and whether any more tenements are to be built now ;

(b) what is the total cost of all the tenements and the cost of supervision of such tenements and the revenue received from them after deducting taxes and the supervision charges ;

(c) whether any portion of the superior staff has been taken into consideration for overhead charges, and if so, what percentage ?

The Honourable Mr. COWASJI JEHLANGIR : (a) With the exception of 320 tenements at Sewri, the 16,861 tenements included in the present instalment of the original scheme have been practically completed and are expected to be finished in January 1926. Under the orders of Government no new industrial housing schemes are to be undertaken until the present programme is completed.

(b) The total cost of all the tenements is estimated at Rs. 3,51,57,100. The annual cost of supervision will be Rs. 75,000 for special staff and Rs. 5,000 for share of Directorate and Secretariat staff. The annual revenue from the tenements, after deducting taxes, cost of maintenance and repairs and supervision charges is estimated at about Rs. 9,16,000, allowing 10 per cent. for vacancies and bad debts.

(c) Yes. 2 per cent. on the cost of special staff (Rs. 75,000) and maintenance and repairs (Rs. 1,70,000).

#### DEVELOPMENT DEPARTMENT ADVERTISEMENTS.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state—

(a) what has been the cost incurred by them for advertising the Department and the names of persons to whom the advertisements have been given, together with the amount ;

(b) what has been the cost of the illustrated booklet ?

The Honourable Mr. COWASJI JEHLANGIR : (a) A statement\* furnishing the information is appended.

(b) If the Honourable Member is referring to the pamphlet on the Development of Bombay written by St. Nihal Singh, the cost of the pamphlet is Rs. 5,222.

## DEVELOPMENT DEPARTMENT TRAILERS.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state what is the loss they will incur on the trailers by the sale of the same?

The Honourable Mr. COWASJI JEHangIR: Of the twelve trailers in the Department, seven not being required have been sold. Allowing for depreciation for  $3\frac{1}{2}$  years at 10 per cent. per annum the loss on the trailers sold amounts to Rs. 8,200.

## MAGISTRATE'S STRICTURES ON MEDICAL OFFICER.

Mr. J. C. SWAMINARAYAN on behalf of Mr. K. F. NARIMAN (Bombay City, South): Will Government be pleased to state—

(a) whether they are aware of certain strictures passed by a Presidency Magistrate against the Medical Officer, J. J. Hospital, Bombay, for tampering with the hospital record;

(b) whether they intend to take any action in that matter?

The Honourable Mr. B. V. JADHAV:

(a) Yes.

(b) A Press Note on the result of the departmental inquiry held in this case is being issued.

## LOCAL BOARD SCHOOL IN BORSAD TALUKA.

Mr. J. C. SWAMINARAYAN on behalf of Mr. K. F. NARIMAN (Bombay City, South): Will Government be pleased to state—

(a) whether there was a local board school in the village of Ankav in the Borsad taluka of the Kaira district;

(b) whether the said school was closed about three years ago on account of the opening of a National School there;

(c) whether since the closing of that National School in February last, applications have been received by Government for the re-opening of the local board school;

(d) why the said school is not re-opened in spite of repeated applications;

(e) whether it is a fact that Rs. 40,000 were sanctioned for the erection of a building for that school;

(f) whether there is any other school of the first grade, either in the place or in the vicinity?

The Honourable Mr. B. V. JADHAV: (a) Yes.

(b) The school was closed owing to the withdrawal of their children by the people of the place.

(c) Yes.

(d) As the school was transferred to a place where it was wanted it has not been re-transferred to Ankav.

(e) and (f) Information will be called for.

Mr. J. C. SWAMINARAYAN: Will the children of Ankav be permanently punished by being deprived of their right of having primary education.



The Honourable Mr. B. V. JADHAV : No.

But Sahib D. P. DESAI (Inaudible) .

The Honourable Mr. B. V. JADHAV : Now, the question of primary education is left in the hands of local board and they can re-open the school if they wish to do so.

#### SCHOLARSHIPS IN THE P. R. TRAINING COLLEGE

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased

(a) to furnish a statement giving the number of Government and local board scholarships respectively awarded in the P. R. Training College, Ahmedabad, in 1920, 1921, 1922, 1923, 1924 and 1925 in a tabular form

(b) to state whether it is a fact that after Mr. K. S. Vakil became Educational Inspector, N. D., the number of scholarships mentioned in (a) has been reduced ;

(c) to give reasons for the reduction in the number of the said scholarships ;

(d) to state whether the reduction of scholarships in the P. R. Training College, Ahmedabad, has caused a dearth of good students in the said college ?

The Honourable Mr. B. V. JADHAV : Information has been called for.

#### HEADMASTERS IN PRACTISING SCHOOLS.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state—

(a) the number of male headmasters that preceded the present incumbent in the practising school attached to the Mahalaxmi Training College at Ahmedabad ;

(b) whether they have adopted the policy of appointing male heads in the said school in place of lady head-mistresses ;

(c) whether they are aware of the fact that in Gujarat lady head for girls' schools are preferred to males in view of the social customs and manners of the province ?

The Honourable Mr. B. V. JADHAV : Information has been called for.

#### AVERAGE COST OF RECLAIMED LAND AT BACK BAY.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state—

(a) the average total cost per acre of land reclaimed at Back Bay calculated till 30th June or 30th September 1925 as may be convenient to them ;

(b) the average price actually realised per acre calculated from all sales up to date ;

(c) to give the incidence per acre of reclaimed land of the amounts spent after machinery, labour, supervision, interest charges, other establishment charges and remaining miscellaneous charges respectively?

The Honourable Mr COWASJI JEHLANGIR : (a) No area has yet been completely reclaimed

(b) and (c) Do not arise

#### HEADMASTER OF PRACTISING SCHOOL, AHMEDABAD

Mr J C SWAMINARAYAN on behalf of Mr G I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state--

(a) the name of the present headmaster of the Practising School attached to the Mahalaxmi Training College at Ahmedabad;

(b) the number of male headmasters that preceded the present one up till now;

(c) whether it is a fact that hitherto no male headmaster was appointed to the post. If so, to give reasons for the departure from the established procedure;

(d) whether Mr K. S. Vakil, the Educational Inspector, Northern Division, was instrumental in making this change;

(e) whether in view of the special customs and manners prevailing in Gujarat regarding the education of women, they intend to revert to the practice prevailing for such a long time?

The Honourable Mr. B. V. JADHAV : Information has been called for.

#### WORKING HOURS IN GOVERNMENT SCHOOLS.

Mr J C SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state -

(a) the time of the opening and closing of the Government schools on week days at Ahmedabad, Surat and the Elphinstone High School at Bombay during 1924 and 1925;

(b) the reasons for keeping different times in different institutions, if any;

(c) whether during 1925 the R. C. High School at Ahmedabad works from 11 a.m. to 5-10 p.m. with a period of 40 minutes recess each day;

(d) the year in which the hours and periods in (c) were introduced with the reasons for the same.

The Honourable Mr. B. V. JADHAV : The information has been called for.

#### SUBSCRIPTION TO THE "SURAT AKHBAR."

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state—

(a) if the Educational Inspector, N. D., Mr. K. S. Vakil, addressed any demi-official, private or personal letters or notes to any institutions

asking them to subscribe to the "Surat Akhbar", a weekly paper having no educative value;

(b) if so, will they be pleased to place on the Council table copies of such orders, letters or notes;

(c) the number of schools in N. D. which are subscribers of the said weekly in 1925.

The Honourable Mr. B. V. JADHAV: Enquiries are being made.

#### SELECTION OF PRIZE BOOKS

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to place on the Council table the list of prize books supplied to the Education Department, Northern Division, by the bookeller of Surat, Ahmedabad and Bombay during 1923, 1924, 1925 respectively?

The Honourable Mr. B. V. JADHAV: Information has been called for.

#### INSPECTION VISITS BY THE EDUCATIONAL INSPECTOR, N. D.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased

(a) to give the special reasons on account of which the Educational Inspector, N. D., Mr. K. S. Vakil, gave the largest number of inspection visits during 1924-25, to Surat as compared with all other centres of the Northern Division;

(b) to state whether Mr. K. S. Vakil is a native of Surat;

(c) if so, to state whether the greater number of visits paid by him to Surat are due to this reason;

(d) to give in a tabular form a comparative statement of travelling allowances paid to Educational Inspectors, N. D., for their visits to Surat during the years 1922, 1923, 1924 and 1925 respectively?

The Honourable Mr. B. V. JADHAV: Information has been called for.

#### THE GUJARAT SHALA PATRA.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased

(1) to state the amount of honorarium paid to Mr. Bala the former principal of the P. R. Training College, Ahmedabad, for editing the Gujarat Shala Patra;

(2) to place on the Council table a list showing the income and expenditure incurred on this paper for the years 1920, 1921, 1922, 1923, 1924 and 1925 respectively with reasons for increase or decrease in each of the years either in income or expenditure;

(3) to give the names and pay of the staff including menials of the establishment of the said Patra in each of the years from 1920 to 1925;

(4) to give reasons for granting Rs. 60 per month to Mr. Vakil for editing the paper?

The Honourable Mr. B. V. JADHAV: The information has been called for.

## AHMEDABAD CITY WALL DEMOLITION.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) whether the Ahmedabad Municipality had adopted a scheme to demolish the city wall keeping the gate intact and to improve the area round the city. If so, the date on which it was adopted;

(b) whether they had sanctioned the scheme. If so, to give the date of sanction;

(c) whether the scheme remains in abeyance yet

(d) whether they intend to take steps to carry out the scheme. If not, to give reasons for postponing or abandoning the scheme?

The Honourable Sir GHULAM HUSSAIN: (a) and (b) The late Committee of Management, Ahmedabad Municipality, on the 28th August 1923 declared its intention under section 9 (1) of the Bombay Town Planning Act, 1915, to introduce the town planning scheme in question and subsequently applied to Government under section 9 (6) of the Act for sanction to the making of the scheme. Government were, however, advised that a Committee of Management appointed under section 179 (2) (b) of the Bombay District Municipal Act, 1901, could not exercise the powers of a Municipality under the Bombay Town Planning Act, 1915. The proceedings taken by the Committee of Management, Ahmedabad Municipality, were therefore void *ab initio* and the Ahmedabad Municipality was accordingly asked to follow *de novo* the procedure under the Town Planning Act.

(c) and (d) The information is being called for.

## RENT CHARGED FROM THE EDUCATIONAL INSPECTOR, N. D.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) the monthly rent paid by the Educational Inspector, N. D., Mr. K. S. Vakil for residing in the premises of the P. R. Training College, Ahmedabad;

(b) the date on which the first instalment of payment of rent was received by Government;

(c) whether the said property is a trust property meant only for use for educational purposes;

(d) whether the said property was advertised for ascertaining the maximum rent it could fetch before being rented to Mr. K. S. Vakil;

(e) if not, will Government be pleased to give reasons for giving such a special concession to Mr. Vakil;

(f) the names with designations of the members of the staff of the P. R. Training College who resided in the College premises in 1922, 1923 and 1925 respectively;

(g) the reasons for the number being reduced in 1925.

The Honourable Mr. B. V. JADHAV: The information has been called for.

MR. H. A. DESAI, DEPUTY EDUCATIONAL INSPECTOR  
AHMEDABAD.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) whether any extra duties are performed by Mr. H. A. Desai Deputy Educational Inspector, Ahmedabad? If so, to state the nature and details of such duties?

(b) Whether these duties are official or non official and to such as come in the way of his regular duties as Deputy Educational Inspector?

(c) The reasons for appointing a very junior man to a post usually occupied by officers who are most expert in the Inspection Branch?

(d) Whether it is a fact that he and his head clerk are both of the same caste to which the chairman of the school board and the administrator of the said board belong?

The Honourable Mr. B. V. JADHAV: The information has been called for.

#### PROTEST AGAINST ELLIS BRIDGE TOWN PLANNING SCHEME.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) if any public meetings were held in Ahmedabad to protest against the Ellis Bridge Town Planning Scheme during the months of August and September;

(b) whether the agriculturists and other people affected by the scheme interviewed the President of the Ahmedabad municipality during August and September;

(c) whether the municipality has forwarded to Government any summary of these protests? If not, do they intend to ask the municipality to submit these protests to them;

(d) whether they would place papers relating to this subject on the Council table?

The Honourable Sir GHULAM HUSSAIN: (a) Yes.

(b) Yes.

(c) No. A local authority is required by section 14 of the Bombay Town Planning Act, 1915, to submit to Government the objections, which may have been communicated to it, when applying for sanction to the draft scheme, which has not as yet reached Government in the present case.

(d) Government have no papers relating to the subject to place on the Council table.

**PROTEST AGAINST ELLIS BRIDGE TOWN PLANNING SCHEME  
TO THE JOINT TOWN PLANNING BOARD.**

MR. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state —

(a) if a meeting of landholders having their lands in the Ellis Bridge Town Planning area was held in Ahmedabad on or about the 22nd August 1925;

(b) whether any resolutions of protest were adopted by this meeting;

(c) whether such resolutions were sent to the Joint Town Planning Board;

(d) the number of persons who have recorded their protests before the Joint Town Planning Board;

(e) if they would place on the Council table a statement embodying the chief objections raised by the affected persons in their applications to the Joint Town Planning Board?

The Honourable Sir GHULAM HUSSAIN: (a) and (b) Yes.

(c) and (d) The information has been called for.

(e) On receipt of information, Government will consider the advisability of so doing.

**STUDENTS IN THE P. R. TRAINING COLLEGE, AHMEDABAD.**

MR. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state —

(a) the total number of students on the Gujarati and Urdu sides respectively in the P. R. Training College, Ahmedabad, during the years 1923, 1924 and 1925;

(b) the number of House masters on the Gujarati and Urdu sides in 1923, 1924 and 1925;

(c) the reasons for reduction in the house masters on the Gujarati side in 1925;

(d) whether it is a fact that the number of members of the staff of the P. R. Training College residing in college premises has been reduced in 1924 and 1925 on account of Mr. K. S. Vakil occupying a substantial portion of the premises for residence purposes.

The Honourable Mr. B. V. JADHAV:

				On March 31st		
				1923.	1924.	1925.
(a)	Gujarati side	..	..	167	118	131
	Urdu side	..	..	63	71	38
(b)	Gujarati side			*3	2	2
	Urdu side	..	..	..	Nil	

(c) Since the separation of the Urdu Training School from the P. R. Training College, one of the two Hindu house masters on the Gujarati

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\* Note. — Including the Head Master of the Practising School attached to the College who did not belong to the College staff.

side has been replaced by a Mahomedan house master for the Urdu Training School. Moreover owing to the considerable reduction in the size of the College, the former number of house masters was considered to be superfluous.

(d) No.

#### OVERBRIDGE AT RAILWAY CROSSING 311.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) the date on which the first scheme for constructing the over-bridge at Railway Crossing 311 at Ahmedabad was sanctioned by the Ahmedabad Municipality and the railway respectively;

(b) the reasons for the inordinate delay in taking in hand the work of construction;

(c) the number of accidents to human beings and animals at this crossing including the distance of 500 yards on the south and north sides of the crossing from 1918 to 1925 both inclusive;

(d) the approximate period within which the work will now be completed and the bridge made open for public traffic?

The Honourable Sir CHUNILAL V. MEHTA: Information is being obtained.

#### WATER SUPPLY AT DAKORE.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased—

(a) to give the number of villages that suffered scarcity of drinking water during the last summer in the Kaira and Ahmedabad districts;

(b) whether any steps are intended to be taken in the near future to redress this vital grievance of the villagers;

(c) whether they have received any schemes for the supply of water at Dakore;

(d) whether practical steps have already been taken for the water supply at Dakore; if not, the probable time in which such steps would be taken?

The Honourable Sir GHULAM HUSSAIN: (a) and (b) The information has been called for.

(c) A scheme prepared by Mr. C. T. Dalal, Chief Engineer, Hyderabad State, has been received recently from the President, Dakore Municipality, and sent to the Sanitary Engineer to Government for examination and report.

(d) The Honourable Member's attention is invited to the answer given by Government to parts (b) and (c) of the Council question put by the Honourable Member for the Indian Merchants' Chamber at page 799 of Volume XIV.

## WATER WORKS ENGINE, AHMEDABAD MUNICIPALITY.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(1) whether they had fixed any terms of contract with Messrs. Worthington Simpson and Company on behalf of the Ahmedabad Municipality to complete within 8 months the work of the erection of the new engine "E" for the waterworks;

(2) whether the contractors failed to complete the work within 8 months which expired on or about 31st March 1925;

(3) whether the buildings necessary for the erection work were completed by the municipality on or about 15th July 1924;

(4) whether the Ahmedabad municipality addressed several reminders to the contractors to complete the work of erecting the engine "E" in due time;

(5) the date on which the erection work of the engine was begun by the contractors;

(6) the date on which it is likely to be completed?

The Honourable Sir GHULAM HUSSAIN: (1) Under the terms of the tender offered by the contractors to the Secretary of State the plant was to be shipped within 10 months from the receipt of order and erected, tested and got ready for use within 18 months from the same date or a minimum period of 8 months from the date of shipment.

(2) If the period of 8 months is computed from the date on which the engine and boiler houses, etc., were ready, yes.

(3) Yes, but the buildings were constructed not by the Municipality but by the Executive Engineer, Ahmedabad Division.

(4) Yes.

(5) In August 1924.

(6) It was completed on 9th July 1925.

## OFFICE HOURS OF EDUCATIONAL INSPECTOR, N. D.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) the office hours of the Educational Inspector, N. D., at Ahmedabad;

(b) the working hours of the Educational Inspector, N. D., and the members of the staff of his office in Ahmedabad;

(c) the number of days of his attendance in office after 5 p.m.;

(d) whether it is a fact that on enquiry being made by Government with reference to a similar question put in the July session the Educational Inspector, N. D., Mr. K. S. Vakil, issued a private circular or note asking his subordinates if they felt inconvenienced by his several times working late in office after 5 p.m.

The Honourable Mr. B. V. JADHAV: (a) 11-30 a.m. to 6 or 6-30 p.m. according to the work to be disposed of.



(b) 9 a.m. to 6 or 6-30 p.m. and 11-30 a.m. to 6 or 6-30 p.m. respectively according to the work to be disposed of.

(c) Information is not available as no record is maintained.

(d) The answer is in the negative.

#### COAL FOR SUKKUR BARRAGE.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) whether tenders for coal required for the Sukkur Barrage were invited on terms of delivery at Sukkur in 1924 and 1925;

(b) if so, the number of tenders of Indian collieries accepted by them for such delivery in 1924 and 1925 with the total tonnage of coal;

(c) whether they are aware of the fact that it was more suitable to Indian collieries to quote rates for delivery at Sukkur than at Karachi;

(d) whether they have received any representations on this subject. If so, will they be pleased to place on the Council table copies of the replies given to the same?

The Honourable Mr. COWASJI JEHangIR: (a) No.

(b) Does not arise.

(c) and (d) A copy of the Press Note No. P. 194 dated 19th October 1925 issued by the Director of Information is placed on the Council Table.\*

#### SUPERSESSION OF MR. J. A. SYED.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) whether Mr. J. A. Syed, though a senior by one year seven months and seven days to Mr. H. A. Desai, Deputy Educational Inspector, Ahmedabad, was superseded by Mr. H. A. Desai owing to Mr. Syed not being in the inspecting branch of the service prior to Mr. Desai;

(b) whether Mr. Manmohandas Dalal, the Head Master, P. R. Training College, Ahmedabad, has been appointed Deputy Educational Inspector, Kaira, without having the qualification of being in the inspecting branch of the service as mentioned in (a);

(c) whether the heads of the P. R. Training College of Ahmedabad are considered to be in the teaching line or the inspecting line;

(d) whether the members of the staff in the P. R. Training College are classed to be in the teaching line or the inspecting branch of the service?

The Honourable Mr. B. V. JADHAV: (a) As already replied to the Honourable Member at the July Session of the Legislative Council, Mr. J. A. Syed is not considered to have been superseded by Mr. H. A. Desai.

(b) Mr. Dalal has been appointed to officiate as Deputy Educational Inspector, Kaira. His permanent post is that of Assistant Deputy Educational Inspector, Surat?

(c) and (d) The members of the staff of the College including the Head thereof are considered to be in the inspecting line.

#### BOMBAY COTTON CESS.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) to give in a tabular form the amount of cotton cess on bales imported into the City of Bombay and also the amount of the cess obtained from the mills and factories of this Presidency on cotton bales consumed by them during the years 1924 and January to September 1925 with the details of the disbursements of the respective amounts;

(b) to state the amount of cess realized from mills at Ahmedabad, Broach, Virangam and Surat for the same period;

(c) to state if any sums obtained from the cities mentioned in (b) have been allocated to or utilized in the places from where they were collected?

The Honourable Sir GHULAM HUSSAIN: (a) Information regarding the amount of cotton cess on bales imported into the City of Bombay during the years 1924 and January to September 1925 is being obtained. As for the details of the disbursement of the amount the Honourable Member's attention is invited to the answer given by Government to part (b) of question\* put by the Honourable Member for the Dharwar District at the last session.

2. For the rest of the question, the Honourable Member is referred for a reply to the Honourable Minister for Forests and Excise.

#### OPENING OF MANIPUR STATION.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) if they are aware that several bungalows and rooms for workmen at Manipur near Ahmedabad have been built and are occupied by residents;

(b) whether they intend to open Manipur station between Kankaria and Vatva with a view to afford facilities to the residents to come to Ahmedabad by train to attend their work and also to assist the development of the suburb;

(c) if so, to give the estimated period within which the station will be ready for public traffic?

The Honourable Sir CHUNILAL V. MEHTA: (a), (b) and (c) The information has been called for.

## RECOMMENDATIONS OF THE EXCISE COMMITTEE.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

- (a) which of the recommendations of the Excise Committee they have accepted;
- (b) which of them they have rejected;
- (c) which of them they have held in abeyance;
- (d) which of them they have actually adopted by this time.

Honourable Mr. A. M. K. DEHLAVI: (a) to (d) The Honourable Member is referred to Government Resolution No. 982/21, dated 12th February 1925 a copy of which was supplied to all the members of this House. Further action to be taken in pursuance of the above Resolution will be announced in due course.

## RELIEF TO AGRICULTURISTS.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased—

- (a) to give an approximate estimate of the failures of crops due to want of sufficient rains during the last monsoon in different districts of this presidency;
- (b) to state whether they intend to give relief to the agriculturists in the form of suspension and remission and if so the nature and extent of such relief;
- (c) to state if they intend to give relief to the agriculturists from the Famine Insurance Fund and if so the nature and extent of the same.

The Honourable Sir CHUNILAL V. MEHTA: Information has been called for.

## COAL PURCHASES FOR SUKKUR BARRAGE AND DEVELOPMENT DEPARTMENT.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to furnish in a tabular form information about the purchase of coal made for Sukkur Barrage and Development Department respectively during 1925 giving the names of collieries, the quality and quantity of coal purchased, the rates, the terms of delivery and dates of receipt of tenders of the firms?

The Honourable Mr. COWASJI JEHangIR: A statement\* containing the information required so far as the Lloyd Barrage and Canals Construction is concerned is placed on the Council Table.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to furnish in a tabular form information about the purchase of coal made for Sukkur Barrage and Development Department respectively during 1925 giving the names of collieries, the quality and quantity of

\*Vide Appendix No. 26.

coal purchased, the rates, the terms of delivery and dates of receipt of tenders of the firms?

The Honourable Mr. COWASJI JEHangIR: A statement\* furnishing the information is appended.

#### FINES UNDER SMOKE-NUISANCES, FACTORY AND BOILER ACTS.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to place on the Council table a comparative statement containing the fines realised for offences under the Smoke Nuisances Act, the Factory Act and the Boiler Act from Bombay, Ahmedabad and Karachi in separate items during 1924 and January to September 1925?

The Honourable Mr. COWASJI JEHangIR: The accompanying statement† gives the required information.

#### CONTRACT FOR WATERWORKS ENGINE, AHMEDABAD MUNICIPALITY.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) whether the Ahmedabad Municipality requested them and the Executive Engineer, Ahmedabad District, to furnish it with a copy of the contract entered into with Messrs. Worthington Simpson and Company for the erection of "E" engine at Ahmedabad;

(b) whether they would place on the Council table a copy of the said contract;

(c) whether they have taken any steps to bring into operation the penalty clause of the forfeiture of the deposit of 15 per cent. of the price of the engine kept with Government; if not to give reasons for the same;

(d) whether any compromise or settlement has been arrived at in this matter. If so, to give the nature and general details thereof;

(e) whether they are aware that owing to the inordinate delay in the erection of the new engine the dearth of water-supply in Ahmedabad remains unremedied?

The Honourable Sir GHULAM HUSSAIN: (a) Yes.

(b) A copy of the contract documents‡ is put up.

(c) and (d) Under the last two sub-clauses of clause 7 of the conditions of contract, it will be seen that there is no provision therein for the forfeiture of the 15 per cent. referred to. There is, however, provision in that clause for exacting as liquidated damages 2 per cent. of the contract price of the work unerected, etc., for every month or part of month during which the work so remains unerected, etc. The delay in the completion of the work is reported to be chiefly due to the fact that the machinery and plant which had to a great extent rusted, as they were lying

\* Vide Appendix No. 27.

† Vide Appendix No. 28.

‡ Vide Appendix No. 29.

unused for a very long time in Bombay, etc., owing to the uncertainty of their being accepted for use on the work in question, had to be assembled and then thoroughly cleaned and some of the parts missing or damaged in transit had to be replaced or mended locally. There was, moreover, delay in the erection of the engine and pump owing to certain alterations in the sanctioned plans found necessary at the time of the execution of the work. In view of all these circumstances, which were quite unforeseen at the time the agreement with the firm was entered into, Government consider it but fair that the conditions for damages owing to the unavoidable delay in the work should not be enforced.

(e) Yes, there was dearth of water-supply but as the work is now completed, there should be no complaint about the dearth of water-supply any more.

#### ELLIS BRIDGE TOWN PLANNING SCHEME AT AHMEDABAD.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased—

(a) to state if they received any protest by wire in September last against the Ellis Bridge Town Planning Scheme at Ahmedabad;

(b) to place on the Council table copies of protests so far received by them against the said scheme;

(c) to give the number of agriculturists and other class of people affected in this area respectively along with the estimated square yards of lands affected by this scheme;

(d) to state if they intend to erect another bridge near Shahpur on the terms mentioned by the Ahmedabad municipality in their representation to them;

(e) to place on the Council table this representation along with the reply given by them to the municipality;

(f) to state what action they propose to take in connection with Ellis Bridge Town Planning Scheme in view of the hardships caused to the majority of agriculturists adversely affected by the scheme?

The Honourable Sir GHULAM HUSSAIN: (a) Yes.

(b) A copy of the telegram from the Secretary to the Landholders' Sabha, Ahmedabad, dated the 22nd September 1925, is placed on the Council table\*.

(c) The information will be supplied, if it can be obtained without entailing a degree of research disproportionate to its value.

(d) and (e) No representation has been received from the Ahmedabad municipality as yet.

(f) The question will be considered by Government on receipt of the draft scheme.

#### DAMAGE TO CROPS CAUSED BY THE COLD WEATHER.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): (a) Will Government be pleased

\* Vide Appendix No. 30.

† This question was asked at the meeting held in February-March 1925, when an *ad-interim* reply was given.

to place on the Council table a statement showing the extent of damage done to different crops by the last spell of cold weather in the several areas of the Presidency?

(b) Will Government be pleased to state whether any relief is granted to the agriculturists and, if so, to give the nature and details of such relief in the different areas?

The Honourable Sir CHUNILAL MEHTA: The accompanying statement\* gives the information asked for.

#### GRANTS TO AIDED SCHOOLS.

† Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): (a) Will Government be pleased to state whether it is a fact that the aided schools of Surat and Nadiad are given additional grants while some of the aided schools of Ahmedabad are debarred from the payment of additional grants due to them? If so, will they be pleased to place on the Council table a list of all such schools with reasons for allowing or disallowing such grants to them?

(b) Will Government be pleased to place on the Council table a list of aided schools in the Northern Division, the expenditure estimated by the Manager of each such school, the expenditure admitted by the Educational Inspector and the grant given by the Education Department to each of them in the year 1924-25?

(c) Will Government be pleased to state what standard was followed by the Educational Inspector in the year 1924-25 in the reduction of grants to aided schools in the Northern Division?

The Honourable Mr. B. V. JADILAV: (a) The answer to the first portion is in the negative. The question in the second portion does not therefore arise.

(b) Two lists ‡—one for Secondary Schools and the other for Primary Schools—are laid on the Council table.

(c) The grants to Secondary Schools are awarded by the Director of Public Instruction and not by the Educational Inspector, N. D. The rules of the Grant-in-Aid Code are followed.

#### WORKING HOURS IN THE P. R. TRAINING COLLEGE, AHMEDABAD.

§ Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) if it is a fact that teachers in the P. R. Training College, Ahmedabad, are compelled to work in the morning as well as in the afternoon;

(b) whether this practice is followed in any other training college of this presidency?

\* Vide Appendix No. 31.

† This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

‡ Vide Appendix No. 32.

§ This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

The Honorable Mr. B. V. JADHAV (a) Yes. In the division of the duty hour of work in the Training College (a) to (a) (morning and afternoon) sessions.

(b) The practice is followed in two other training colleges.

#### THE SATHI PARMPYO SCHEME

Mr. S. A. SARDesai (Dagpur District) Will Government be pleased to take

(a) such and how many District Local Boards and Mr. ... were consulted about the Sathi Parmpyo Scheme?

(b) which and how many of the District Local Boards and Municipalities were in favour of it and which not? ... it?

(c) whether any notice has been called for the matter to collect the ...?

(d) will the Sathi Parmpyo Scheme be introduced in a division in which there is majority of District Local Boards and Municipalities in favour of it? If not, why?

The Honorable Mr. B. V. JADHAV Information being called for.

#### DISMISSAL OF NANA MITHA, TALATI OF SUNVALI, TALUKA OLPA

\* Mr. H. B. SHIVDASANI (Sunat District) Will Government be pleased to take

(a) whether they have in their Government Resolution No. 2749 dated 19th May 1905 directed that where the preliminary report indicates that a Government servant has committed a criminal offence permission should be applied for his prosecution and should be promptly granted if there is a *prima facie* case for prosecution and there exist no adequate reasons (which must always be recorded) for not instituting a prosecution?

(b) Whether this procedure was departed from in the case of Nana Mitha, talati of Sunvali, taluka Olpad, who was suspended on 27th February 1922 and dismissed on 10th July 1922 on charge of bribery and corruption, after a departmental inquiry, and if so what were the special reasons for departing from this procedure in this case?

(c) Whether it is not against Government policy to hold a departmental inquiry into the misconduct of Government servants when such misconduct amounts to a serious criminal offence?

(d) Whether Government intend to prosecute Nana Mitha under the Indian Penal Code and thus give him a chance of proving his innocence in a court of law?

The Honourable Sir CHUNILAL MEHTA (a) Already replied.

(b) Yes. It was held proved against the talati that he had misused and abused his position. It was not considered necessary or desirable to give sanction to his prosecution, as the evidence was old and it was

\* This question was asked at the meeting held in February-March 1925, when an *ad interim* reply was given.

doubtful if the facts in the case which had been established against him constituted a criminal offence.

(c) Does not arise.

(d) No.

#### SUB-DIVISIONAL OFFICERS

MR H. B. SHIVDASANI (Surat District) Will Government be pleased to state what is the total cost of the sub-divisional officers including the pay of the sub-divisional staff, the travelling allowances of the sub-divisional officers and of their staff, the leave and pension allowances of the sub-divisional officers and of their staff and the rent of the Government buildings occupied?

THE HONOURABLE MR CHUNILAL MEHTA Information regarding expenditure on account of pay and leave and travelling allowances of the sub-divisional officers and their establishments has already been given to the honourable member.

Information concerning the cost of pension charge of the sub-divisional officers and their establishments cannot be given as only lump provision for all superannuation and retired allowances is made on the basis of past actual and no separate figure for pension charges of these officers are available.

The total amount of monthly rent payable for the buildings occupied by the officers and their staff is Rs. 52,666.

#### COTTON SEED

MR H. B. SHIVDASANI (Surat District) Will Government be pleased to state

(a) whether the ginning percentage of seed No. 1027 is so low that 61 mounds of cotton grown from this seed are required to give one Khundi of ginned cotton.

(b) whether only 73 mounds of cotton grown from the seed A-I yield one Khundi of cotton.

(c) whether as a result of this the cultivator growing cotton from No. 1027 seed makes a profit of Rs. 100 per Khundi less than what the cultivator growing cotton from seed A-I makes.

(d) whether Government is trying its best to induce the cultivators of the Surat District to grow cotton from seed No. 1027 only and supply pure seed of this variety only.

(e) whether people prefer to grow cotton from seed A-I and find it difficult to get pure seed of this variety.

(f) whether Government have taken any steps to supply to the cultivators of the Surat District pure cotton seed of A-I variety or of some other equally good variety with an equally high ginning percentage.

(g) whether it is a fact that the Honorary Secretary, Bombay Central Co-operative Institute, Surat Branch, has sent a petition to Government to make adequate arrangements for the supply of pure seed of

\* This question was asked at the meeting held in July/August 1924, when an *ad interim* reply was given.



A-I variety or a good variety with an equally high ginning percentage, and has requested for the help of an expert, offering to defray his expenses ;

(h) whether Government has done anything to meet this request of the Bombay Central Co-operative Institute, Surat.

The Honourable Mr. A. M. K. DEHLAVI : (a) No. About 58 maunds are required to give one Khandi of lint.

(b) Yes.

(c) No.

(d) Yes.

(e) The cultivators of the Surat area in general do not prefer this variety which is confined to a small area in the Ohpal Taluka only. It is a fact that pure seed of A-I variety is not obtainable by the cultivators.

(f) The Agricultural Department is supplying seed of variety No. 1027 only.

(g) Yes.

(h) The matter is under the consideration of Government.

#### TODDY TREE-TAX IN SURAT DISTRICT.

Mr. H. B. SHIVDASANI (Surat District) : Will Government be pleased to give the following information for the Surat District, taluka by taluka :—

(a) what was the scale of the tax for toddy trees given out for domestic consumption :—

(i) in the year 1923-24 ;

(ii) in the year 1924-25 ;

(b) what was the number of toddy trees tapped under domestic consumption licenses :—

(i) in the year 1923-24 ;

(ii) in the year 1924-25 ;

(c) what were the receipts of Government from the tree-tax levied on toddy trees given out for domestic consumption :—

(i) in the year 1923-24 ;

(ii) in the year 1924-25 ?

The Honourable Mr. A. M. K. DEHLAVI : Information has been called for.

#### AMENDMENT OF THE COTTON TRANSPORT ACT.

Mr. H. B. SHIVDASANI (Surat District) : Will Government be pleased to state—

(a) whether they have moved the Government of India to amend the Cotton Transport Act so as to make it possible to distinguish between transport of cotton by rail and the transport of cotton by road ;

(b) if so, when is the above amendment of the Cotton Transport Act likely to come into force ?

The Honourable Mr. A. M. K. DEHLAVI : (a) Yes.

(b) The question is under the consideration of the Government of India.

Mr. H. B. SHIVDASANI: Has not the Act already been amended?

The Honourable Mr. A. M. K. DEHLAVI: No, not at the time this reply was ready.

#### LICENSES FOR COTTON TRANSPORT.

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to state—

(a) whether they are aware that the systems of issuing licenses for the transport of cotton to cultivators of Olpad Taluka is not working as smoothly as was expected;

(b) whether they intend to take any action in the matter?

The Honourable Mr. A. M. K. DEHLAVI: (a) No.

(b) Does not arise.

#### ALLOWANCE TO OFFICERS ON THE LLOYD BARRAGE PROJECT.

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to state—

(a) Whether they have decided to grant a Barrage allowance to officers employed on the Lloyd Barrage project and if so to which officers has this allowance been granted?

(b) What is the scale of this allowance?

(c) Has this allowance been granted in addition to the rent-free bungalows which these officers have been given?

(d) What would be the total cost of this barrage allowance if interest is taken into consideration?

The Honourable Mr. COWASJI JEHangIR: (a) Yes; to the permanent staff of all ranks (superior as well as subordinate with the exception of office establishment only) of the Public Works, Revenue and Medical Departments.

(b) 20 per cent. on first Rs. 250 of pay.

15 per cent. on next Rs. 251—500 of pay.

10 per cent. extra on all above Rs. 500. The maximum of the allowance is Rs. 200.

(c) Yes.

(d) The estimated total cost of the allowance for the whole period of the work is Rs. 12.39 lakhs or with interest at 6 per cent., 17.56 lakhs, equivalent respectively to 0.69 per cent. on the estimated cost of the scheme, etc., Rs. 18.35 crores without interest or 0.82 per cent. on the cost (Rs. 21.3 crores) with interest at 6 per cent. Actually the present rate of interest is something less than 6 per cent.

Mr. H. B. SHIVDASANI: Why is it considered necessary to give Barrage allowance to the officers in addition to the free quarters?

The Honourable Mr. COWASJI JEHangIR: Mr. President, the whole question was discussed in this honourable House, and the honourable member took a very prominent part in that discussion.

Mr. H. B. SHIVDASANI: Why are the menials and the office establishment left out?

The Honourable Mr. COWASJI JEHLANGIR : If the honourable member will give me notice, I will give a reply.

#### CONVERSION OF GOVERNMENT OFFICES INTO BOARDING HOUSE.

\*Mr. H. B. SHIVDASANI (Surat District) : Will Government be pleased to state —

(a) whether the Eastern block of rooms of the Additional Training College, Hyderabad, Sind, was until recently being used as offices of the Mulla Deputy Educational Inspector and his Assistants ;

(b) whether these officers have been made to vacate this block in order to make accommodation available for the Mahomedan Boarding House ;

(c) what is the rent charged to the Mahomedan Boarding House and what is the rent paid by Government for the offices of the Mulla Deputy Educational Inspector and his Assistants and what is the loss (if any) per annum to Government ;

(d) what are the special reasons for taking this step of vacating Government buildings used as offices for Government officers in order to make room for a private Boarding House ;

(e) where are the future lodgers of this Boarding House lodged at present ;

(f) when is this block likely to be required for the Training College for housing its students.

The Honourable Mr. B. V. JADHAV : (a), (b), (d) and (f) These parts have already been answered.

(c) The first part of the question has already been answered. As regards the latter part, the question of sanctioning rent for the office of the Mulla Deputy and his assistants is still under consideration.

The Honourable the PRESIDENT : It is exactly one hour. The remaining questions will be put tomorrow.

(After recess.)

The Honourable the PRESIDENT : As regards the Finance Committee honourable members are aware that the Honourable the Finance Member has given notice of a resolution to continue the same committee for the remaining term of office of the Council. This resolution will be taken up and discussed and on that decision will depend whether there will be an election for the Finance Committee or not. As regards the Public Accounts Committee a great deal of time will be saved if we adopt the procedure under which nominations are received prior to the election and typed copies of the names of candidates are supplied to honourable members so that they can immediately proceed to vote. The procedure followed in the past has been that nominations are made at the time when election is to take place. All the names of candidates had to be taken down and dictated to honourable members. A great deal of time is spent

This question was asked at the meeting held in July-August 1925, when an oral reply was given.

[The President.]

in that way. I propose to adopt this procedure unless there is any objection, *viz.*, that nominations for the Public Accounts Committee should be sent in by to-morrow evening. On Wednesday they will be typed and on Thursday list containing the names of all nominated candidates will be supplied to honourable members who can then proceed with the election. I hope this procedure will be acceptable to the House.

MOULVI RAFIUDDIN AHMAD (Central Division) : I think we can approve of this procedure.

The Honourable the PRESIDENT : Honourable members will please note that they have to send in the nominations of candidates for election to the Public Accounts Committee by to-morrow evening. Election will be proceeded with on Thursday.

The Honourable Sir HENRY LAWRENCE : Mr. President : the Budget for the year 1926-27 must now be placed before the House and once again it falls to my lot to ask for its introduction.

2. This is the sixth year in which I have been connected with this task : once as Chief Secretary and five times as Finance Member. And when the human mind passes in retrospect the surging events of so long a period it is apt to grow somewhat verbose ; and I must ask the indulgence of the House if I stray from the simpler task of enumerating the detailed figures of the year to the more hazardous duty of offering to the House some broad conclusions on matters of policy. I have not refrained in previous years from making certain suggestions of this kind which have in fact stimulated various members of this House to attack those theories with no little vigour. It is by this process of comparison of differing views that the interests of the State are best served ; for sober-minded critics outside the House are then in a position to exercise their own judgment and to decide for themselves how far the policies of Government deserve their support and to bring to bear on the Government and on this House the powerful influence of the Ballot Box.

3. The House is already in possession of much valuable material on which to base their consideration of the Budget proposals. The art of presenting the Budget in an intelligible form is not free from difficulties : but I hope the House will appreciate that year by year we are attempting to improve the method of presentation. And although some of our more gay and light-hearted critics will no doubt bring forward some charges of misrepresentation, cunning and duplicity, I trust that the House as a whole will give us a favourable verdict.

4. The weighty address with which His Excellency the Governor has opened our proceedings has drawn the attention of the House to the most serious problems which await solution. The Memorandum prepared by the Finance Secretary Mr. Wiles contains a more complete survey than has been attempted in similar Memoranda in other years ; and with its concise lucidity of expression will, I hope, be recognised by the House to be a document worthy of their approbation. It covers most of the ground which in previous years I have included in my remarks : and

[Sir Henry Lawrence]

having been in the hands of the House for the last fortnight is of greater value to our discussion.

5. A considerable section of the thinking public is at present impressed with pessimistic apprehensions of the future ; and I have no doubt that these forebodings will be placed before the House with the emphasis and the eloquence to which this House is accustomed. I have studied these views in the public press and in consultation with various gentlemen of experience and ability ; and while no one can deny that we are confronted with serious difficulties, I would ask the House to believe that this Presidency has successfully emerged from periods of danger and depression in the recent past which have been more critical.

6. It is impossible to make an adequate survey in a few words : but I would remind the House of several recent periods of severe crisis.

I will not go back to the Bombay Share mania of the sixties because that is beyond the experience of the members of this House. The periods to which I refer are the plague of 1897 which overshadowed Bombay for ten years : the Famines of 1899—1902 : and the early years of the War. There were very few men who were able to retain a courageous spirit in those anxious times.

There were prophets of evil who foretold the complete ruin of Bombay from plague and anticipated that industry could never be re-established in a plague-stricken City.

In the Famines the ruin of agricultural interests was anticipated : and the financial impoverishment of the State appeared to be involved when the public exchequer expended its resources to the extent of nearly 8 crores of rupees in saving the lives of men and cattle.

On the outbreak of the War how many lost heart and sold their shares and their properties for a song who now bitterly regret their want of courage ?

To men who like myself were personal witnesses of these vicissitudes during the last generation, the pessimism now prevailing in certain quarters appears to be based on inadequate grounds. We have learnt in time of Peace and in time of War how great is the power of the people when combined to a common end. We have learnt that the State can, to promote the welfare of the people, undertake enterprises and responsibilities which would have seemed impossible to the Governments of a previous age ; and we recognise that it is the duty of a Government to take long views and to work for the welfare of future generations.

7. I have noticed in my present office that the Budget session is always a period for scares and rumours of disaster ; and I have pondered the cause. I think it must be that it is the usual experience in private life that when a man stops to take stock of his financial situation, he is met with many unpleasant revelations and shocks. If there is any such nervous feeling prevailing today, I trust that it may be dissipated in our coming discussions. For when we examine the public condition in sober earnest we are bound to admit that our anxieties, such as they are, have ample compensations.

[Sir Henry Lawrence]

The vast majority of our people are leading peaceful, law-abiding and industrious lives : they pursue their occupations with a patient regularity and a contented discipline which are the soundest foundations of a well-ordered State.

8. Few people recognise how important a stable Currency is to their welfare. If we look abroad and consider the course of events in such countries as for example France, Germany and Italy, we have indeed much cause for gratitude. In France one Cabinet succeeds another every few months, and the financial problem stands unsolved with the franc dwindling from ten annus to two and lower. In Germany the economic chaos leads to continuous bankruptcies and frequent suicides. In Italy the parliamentary assemblies are superseded by a despotism. Here in India the financial policy of the Government of India has maintained our currency steady with inconsiderable fluctuations, and I suggest to the House that the violent diatribes some times heard in Bombay merely indicate a lack of knowledge and the absence of a critical standard of comparison.

9. Chief amongst these anxieties must be placed the obligations which the State has incurred in the matter of Loans. In Statements V and VI of the Blue Book we have given an estimate of our capital expenditure and a summary of our debt charges. In my speech introducing the budget of 1923-24, I gave a summary of the programme of development which we then had in view : and the House will remember that this sum represented 50 crores of expenditure on the development of Bombay and 30 crores for the development of the Presidency in irrigation. We have curtailed already the programme of the development of Bombay very largely.

I then stated that on the housing of the working classes in Bombay we propose to spend 9 crores. The demand for accommodation appears to have fallen off so greatly that we have cut down the programme from 50,000 tenements to 16,000 and from 9 crores to 3½ crores : and we have now practically completed this smaller scheme.

In regard to the development of the Suburbs, I mentioned the figure of 12 crores. By the curtailment of our operations we are now reducing this figure to under 3 crores.

In regard to the Back Bay Reclamation for which 8½ crores were then estimated, by a similar curtailment (which will be explained in greater detail later) we will reduce our liability from 8½ crores to 6½ crores. All these figures are exclusive of interest. Thus we have reduced these commitments by 17 crores from 30 to 13.

In Statement VI the capital liabilities of the Development Department up to the end of the year 1926-27 are estimated at Rs. 14.38 lakhs. This figure inclusive of interest. Its total debt charges in 1926-27 will be 88½ lakhs. Of these 46 lakhs will be paid from revenue : 20 lakhs out of this amount come from the general revenues and represent the interest and Sinking Fund on the estimated loss of 3 crores on the Back Bay Reclamation.



[Sir Henry Lawrence]

We start with the estimate with a balance of Rs. 351 lakhs excluding the Loan Fund of Rs. 194 lakhs and temporary surplus loan money of 57 lakhs. Our estimate of normal revenue for 1926-27 is Rs. 1451 lakhs and our estimate of expenditure is Rs. 1721 lakhs. The normal deficit would therefore be Rs. 70 lakhs. But we are not going to the Government of India non-recurrent account and we add Rs. 10 lakhs next year. Our actual deficit on the Provincial Account therefore will be about Rs. 60 lakhs. Over and above this there is a non-recurrent Budget of Rs. 36 of the Blue Book) proposed to be added to the extent of 189 lakhs and thus reduce the deficit to Rs. 10 lakhs. Part of this is for the Sukkur Barrage and the Rs. 71 lakhs of the loan money referred to above are also to be spent on the work. The remaining Rs. 29 lakhs of this sum of Rs. 189 lakhs are to be used in paying back the annual instalment of the Provincial Loan Account. The closing balance at the end of 1926-27 is therefore about Rs. 100 lakhs including the Reserve Fund which will have risen to Rs. 250 lakhs.

Now, Sir, if you turn the figures on page 36 of the Blue Book we find that in the fifteen years from April 1922 to April 1925 we raised our revenue from 100 crores to 5½ crores.

The same 100 crore million people were administered from a revenue of 11 crores and every and a quarter of rupees was set aside each year.

I submit Sir that this is no mean achievement.

The method of administration may justly be criticised, for divine discontent is the spring of progress to better things, but I ask the House to recognise that within the limits of the resources provided, the officers have served them well.

We are indebted to my honourable colleagues, the heads of the administrative department and to their executive officers for their vigilant attention to matters of revenue and for the enforcement of rigid economy. Let me draw attention to the fact that in each of the years 1922-25 we spent 11 crores less than in 1921-22.

I submit that the situation so summarised justifies us in maintaining a confident outlook for the future. We have passed through a period of severe depression in commerce and industry, and we have not succumbed in despair and in oblivion and the Presidency is better equipped to meet any future difficulties than ever before.

13. Let us consider on what foundations the future progress of the Presidency primarily depends.

The welfare of the Agriculturist necessarily takes the first place. The Doon is a tract which is more liable to famine than any other part in India. The last defences against famine are (a) Irrigation and (b) Industrial enterprise. Up to the end of 1924-25 we have spent over 16 crores to provide irrigation. While Industrial enterprise has grown up partly through private effort and partly through Government effort to such an extent as to provide work for almost all the people whose crops have failed in recent years.

On a scale, smaller but still appreciable, we have encouraged irrigation from wells and tanks. The cultivator is not immune from the failure of



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his crops for the capricious character of the monsoons, cannot be controlled by any human agency, but here at least a safeguard against the horror which accompanied the wide-spread failure of crops in previous years.

14. In Sind where cultivation is liable to extinction on account of the vagaries of the River Indus on which in that remote tract the cultivation is wholly dependent for his livelihood, this House has sanctioned the Sukkur Project at a cost of 18 crores of rupees. This project designed not only to protect the cultivator from the danger of the abstraction of water from the river by the enterprising Punjab, who carries the upper water, but also to raise his standard of life by providing him with irrigation water for all the 12 months of the year in place of four months, thus enabling him to employ his energies in raising a succession of crops throughout the year.

15. Let me digress for a moment to remind the House how the importance of the Suddan Barrage has been brought home to the people of Sind again this year. In August last the river Indus failed to spread its fertilizing water in sufficient volume and at the opportune time in large areas of the Province. This sad calamity has had one beneficial result. There have been found till lately some men, very few in number but sometimes loud in voice, who scoffed and sneered at the Barrage. There is now no man in Sind who raises his voice to scoff and sneer. All are converted by the sad experience, all are now advocates of this enterprise and I hope will prove staunch in their advocacy.

Let me add also that the warnings which I have given on previous occasions since 1916 that the people of the Punjab are extending their irrigation to the great danger of Sind are more likely than ever to be shortly fulfilled. It is of the greatest importance that the people of Sind and members of this House should recognise the danger of this calamity. The Thul Project is being pressed by the Government of the Punjab; and if it is completed, there is great danger that the supply of water for the winter crops in Sind may prove wholly insufficient. This Government are representing the case on behalf of Sind; but the facts of the case should be fully realised by all those who are concerned in the future welfare of Sind.

The River Indus in flood carries a million cubic feet per second of water but in the winter the discharge falls below 30,000 cusecs. Our Barrage canals require the whole of this 30,000 and this new Project (not yet begun) threatens to abstract over 3,000 cusecs at a time when the supply is already insufficient.

With the help of these irrigational schemes, the agricultural interests of this Presidency are being strengthened from year to year and when we have completed our investment of thirty-four crores will be in a far stronger position than ever before.

16. Of equal importance to the cultivator in every part of the Presidency has been the improvement in the means of transport. It is difficult for this generation to realise what the provision of railways and roads have meant to the cultivator.

\* It was the absence of any railway that led to the terrible mortality in the Southern Maratha Country in the famine of 50 years ago. There

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was abundance of food in the neighbouring districts but owing to the lack of transport it could not be carried to the famine-stricken area.

The export trade of Bombay which enables the cultivator to get the world price for his cotton, his oil seeds and his wheat, has been built up on the improvement of transport.

Let us consider first the railway which feed Bombay. The B. B. & C. I. and the G. I. P. are evidence of the courage and foresight on which the progress and prosperity of the City and the Presidency have been founded; let us look back and think what it meant to start on enterprises which have required the investment of sums that are now close on 200 crores, and which were unable to meet their interest for fifty years.

Those same virtues of courage and foresight are being displayed by the railway magnates of to-day. A new programme of extension and electrification of these two systems is in course of construction, and a sum of 20 crores of rupees will have been expended for the benefit of this City and Presidency within the next few years.

17. Then as to roads which are almost equally vital to the trade of the Province.

We are giving large grants to Local Boards to assist their maintenance, grants which this year aggregate 18½ lakhs of rupees. We have taken over from Local Boards the care of the more important roads. The extent of our metalled roads has risen in recent years from 4,100 miles to 8,700 miles: while bridges, causeways and culverts have been constructed, the importance of which to the ryot and his long suffering cattle it is difficult to over-estimate.

In 1897 when I joined the Secretariat as Under Secretary in the Finance Department, the total spent annually on Public Works and Irrigation Branches was under 60 lakhs of rupees. The sum so expended in the last five years has on the average been nearly 4 crores; and almost the whole of this amount has been devoted to improving the conditions of life of the agriculturist. I submit, Sir, therefore, with some confidence, that the ryot is in a far better position to protect himself against misfortune than ever before. I do not know whether any member here will question the assertion that his standard of comfort has been raised very greatly: but that is the view strongly held by men of wide experience. The character of his house, his clothing and his food has greatly improved. Such is the testimony adduced from every quarter, and it all points to the improvement of his economic condition.

If we feel depressed by the unfortunate condition of the Cotton Mill Industry in the Bombay City, it is worthwhile to consider the other forms of trade and commerce which in the aggregate play no small part in the prosperity of the Presidency. The average exports from Bombay and Karachi of Cotton, Oilseeds and Wheat during the last three years represent 121 crores and an improvement of 65 crores or more than double our prewar figures: and the benefits of this trade are shared equally by the merchant and the ryot.

18. The Finance Secretary has pointed out in paragraph 4 of his Memorandum in the Blue Book that our revenues in the last five years

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have fluctuated between 12½ crores and 14½ crores. Two-thirds is due to Land Revenue and to Excise.

Our Land Revenue used to expand at an average rate of 3 lakhs a year; while the burden of the assessment of the ryot has been lightened by the increase of prices and change in the value of money.

Last year no new settlements were introduced and Government extended the period of settlements in Sind, thereby reducing the annual growth of revenue.

In the last few years Government have followed the Policy of granting remissions owing to the failure of crops on a very liberal scale; and these remissions have caused the abandonment of one and a quarter crores of rupees.

It is clear that any reduction in Land Revenue must be made up from other sources, if the administration on the present standard is to be maintained.

19. In regard to Excise the House has to face the situation created by the desire expressed in certain quarters for the prohibition of alcohol and of drugs. The Government met that desire by the statement that prohibition was their ultimate goal, provided the House was prepared to furnish equivalent sources of revenue in substitution. A Committee has just been appointed to examine the possibilities of this substitution.

The matter is important financially, and I venture to remind the House of the elementary statistics.

Since 1921, when the Reform Government came into being, the consumption of licit country spirit has fallen from 20 lakhs of gallons to 12 lakhs in the Presidency proper and Sind, and from 8½ lakhs to 5 lakhs in the City of Bombay.

If we compare the statistics of consumption with those of other countries, we must recognise the extreme sobriety of our people here.

The consumption of spirits alone (i.e., exclusive of wines and beer) varied according to the latest figures available from 70 gallons per 100 people in England to 216 in Denmark; while in this Presidency the figure is nine gallons only.

20. The House has been warned for several years that the policy which is strongly advocated by a certain section must lead to a rapid diminution of revenue. We have adopted in the interests of the country at large every administrative device that might avail to combine a reduction in consumption with a maintenance of those revenues which are necessary to safeguard our standard of administration. We have now reached the limit possible. We have been raising the duty on drugs continuously and in the current year we have increased the License Fees on foreign liquor, and have brought Clubs under control. The cost of country spirit has been raised to such a height that illicit distillation has been found to be taking place on a vast scale.

21. The revenue from country spirit has fallen from 347 lakhs in 1920-21 to 287 lakhs in 1924-25 while next year 281 lakhs are anticipated, that is to say a decrease of 66 lakhs in five years.

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If we could be convinced that this loss of revenue is due to a genuine absence of consumption, we should have some solid ground for satisfaction. But we cannot disregard the warnings of the Excise Commissioner that in the country districts the mowhra tree and sugar cane afford ready means of illicit distillation and in the cities cheap foreign liquors are being consumed in substitution.

Further, it is my duty as Finance Member to advise the House that they are losing many lakhs of rupees, that they are not advancing the cause of temperance for this loss and that the losses are being diverted into the pockets of illicit distillers and the vendors of foreign liquor.

This loss of revenue means the stoppage of improvements in the provision of roads for cultivators, of hospitals, of schemes of water supply and drainage in our cities, of schemes of education both higher and primary, and in fact of all those beneficent projects which in the current phrase help to build up a Nation.

I invite attention to the figures on page 31 of the Blue Book. Since 1916-17 when the late Mr. Arthur introduced the magnificent reform of auctioning liquor contracts the State has had 1½ crores more revenue (money which formerly enriched a few contractors only); and it is from this source from this extra revenue of 1½ crores that the State has been able to supply the most eloquent needs of our people.

22. Our third main source of revenue is Stamps, Judicial and Non-Judicial. Revenue from this source has also remained stable at between 161 and 180 lakhs in consequence of certain adjustments, some favourable and some unfavourable.

In 1922 we obtained the sanction of this House to the revision of the Tax Schedules which was estimated to bring in some 60 lakhs of rupees. The disastrous slump in trade deprived us of this increase; but the new schedules kept up the revenue from declining and it remained at its present figure of over 175.

When the House refused the renewal of Court Fees in 1924, the loss then anticipated was to some extent counterbalanced by a slight improvement in business and by the negotiations with the Government of India which gave us a further revenue of nine lakhs from the Unified Stamps of all-India.

We hope now to secure the assent of the House to the permanence of the revised schedules of Non-Judicial Stamps. Otherwise we anticipate a loss of 20 lakhs from the figure entered in the Budget. We also hope to secure the assent of the House to the re-introduction of revised schedules under the Court Fees Act, and estimate that this measure would bring us in some 15 lakhs.

The Court Fees Act includes the question of Probate. We have sought to improve our Probate Revenue better organisation; and an increase in the rate of this duty is included in the revision of the Court Fees. It is generally recognised that the State which enables the heirs to a will to enter upon peaceable possession of their inheritance is entitled to divert a portion for the benefit and relief of the general tax payer; and it is presumed that this sentiment of public justice will commend itself to this House.

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23. Our other sources of revenue show little change.

We have spent money on the better equipment of our Forests and have maintained our revenue in spite of the general slump on timber business.

Our new resources are confined to the Entertainment Tax and the Totalisator Tax.

The Entertainment Tax is expected to bring in the current year 8 lakhs and in the Budget for next year we have estimated 7.2 lakhs.

The Totalisator Tax which only came into operation during the current Bombay season is expected to yield 7½ lakhs this year and we hope to realise 18 lakhs in the next year.

We are placing before the House once more a Bill for increased taxation on the Transfer of Property : but we are restricting it this year to the City of Bombay. In my last Budget speech, I explained the history of this Bill, and I shall go into more detail in a few days' time. I will only say that the need for further revenue is more urgent this year than ever before and that need has been aggravated by the unfavourable course of the measures which we had undertaken directly for the benefit of the City of Bombay. For this reason, we have restricted the scope of the Bill, as now presented, to the City of Bombay.

24. The Income Tax which brought us a small contribution of 30 lakhs in 1921-22 and 1922-23, out of the 19 crores collected by the Government of India from this Presidency in the five years 1921-25, has brought us nothing in the last two years. This figure of 19 crores is exclusive of 12 crores collected by the Government of India on account of Super Tax and Excess Profit Duty.

It is perhaps unnecessary for me to remind the House of the representation which we made on the subject to the Government of India last March. That expression of our grievance brought us a dole of 22 lakhs. That is the only satisfaction, and a very insufficient satisfaction, that we have yet received.

It is true that our citizens have accepted this position with a fatalistic indifference. They are content to leave this struggle to be carried through by the Government of Bombay, and we are gratified at this implied compliment even though it be somewhat embarrassing. This subvention of 31 crores represented 35 per cent. of the total Income Tax and Super Tax collected from All-India. Our population represents 8 per cent. of the population of British India and we paid four and a half times as much in proportion as the rest of India. During the years 1921-23 the Government of India finances were in deficit to the extent of 43 crores : and the assistance that our Presidency thus rendered was of considerable importance to the State. So far the gratitude of the Government of India has not been expressed in a tangible form. But we have reason to believe that the Government of India have now a better appreciation of our claims than before : and that even if their mills grind slowly, they will eventually give us justice. It is absolutely necessary that we should not allow ourselves to fall into a slumber over this question.

25. It is clear that our resources are very limited. The provincial revenue collected in Bombay is Rs. 7 to Rs. 8 per head of population.

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It is difficult to compare this revenue with that of other countries owing to the separation of Finance between Provincial and Imperial Governments. But it may be interesting to observe that in the United Kingdom the revenue is £20 per head or Rs. 270. In Australia it is £12 per head or Rs. 162. If we want a comparison in Asia let us go to Japan. In Japan it is Rs. 32. If we desire to have an administration on a modern standard, it is perfectly clear that we must obtain more revenue.

The argument so far then resolves itself into this: That our revenues are not likely to expand on a considerable scale for some time to come and that it will not be easy to make a transfer from the existing sources of revenue to the new sources of revenue proposed on an appreciable scale.

26. Let us now turn to the question of expenditure. If we cannot increase our revenue appreciably can we reduce our expenditure?

Suggestions have been made in the past for the abolition of higher appointments and the reduction of salaries of higher appointments. The statistics which have been placed before the House at different times have shown conclusively that this easy road leads nowhere. The salaries of all the superior services combined do not represent one anna in the rupee: while the salaries of the highest posts specially selected for attack do not exceed one pie in the rupee.

The methods of retrenchment suggested by the Retrenchment Committee which sat in 1922-23 were fully investigated and so far as found practicable they have been enforced with an annual saving of 33 lakhs. But if we are to save money not by lakhs but by crores how is it to be done?

27. Some people assert that we are too lavish on our public works. We may have to cut down further expansion. But there are persistent demands for every kind of improvement: water works, roads, hospitals, sanitary schemes and so forth; and it has been the practice of Government to give liberal assistance to all local bodies in such matters.

It may be necessary to reduce the pay of our establishments. When we raised their salaries in 1920, we did so with the specific warning that those increases were subject to reconsideration when prices fall. There has been some fall in the Index number of prices but it has not been so decisive as to lead Government to consider that the time for the reduction of salaries has yet come.

These increases, I may remind the House, represented—

- 2½ crores for subordinate establishments,
- 30 lakhs for Provincial Services,
- 40 lakhs for Imperial Services,

say, nearly 3 crores: and this raised the total cost of public establishments from 3½ crores to 6½ crores.

28. There have been criticisms expressed at times of the excessive expenditure on reserved departments as compared with the transferred departments. The point is touched by the Finance Secretary in paragraph 7 of his memorandum where he observes that the reserved departments are those which in the judgment of Parliament were of

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essential importance reserved for the ultimate responsibility of the Secretary of State.

In 1924 the Honourable Mr. Cadell pointed out that while our revenues in the last ten years have expanded from 8 crores to 11½ crores or 80 per cent. our expenditure on Education during that period had increased by 160 per cent., on Medical and Public Health by 170 per cent. and on Agriculture by 190 per cent. These figures clearly demonstrate that we have been spending proportionately much more on the transferred departments or the so-called Nation-Building activities of Government and that the criticism of the excessive expenditure on reserved departments does not apply to the increases which have been granted to them in the last few years.

29. I should like to touch on some of the major spending departments in a few words and invite suggestions of any retrenchment that may be held to be possible.

To take the Police Department first: since it is not infrequently subjected to criticism. In 1920-21 our expenditure was 175 lakhs. This includes 9 lakhs on Village Police and 8 lakhs on Agency Police. The village Police have been transferred to "22, General Administration" while the cost of Agency Police is being borne by the Government of India. If these adjustments are taken into account the cost of our Police Force to the Provincial exchequer has risen from 175 lakhs in 1920-21 to 179 lakhs in 1924-25 and 183 lakhs in the current year: so that the increase is not very large.

We have in fact reduced the number of men employed by several thousands and have closed many outposts: so much so that there are now complaints from various districts asking for better protection. In the meantime there has been considerable improvement in the detective organisation and much attention is paid to the training of all ranks of the force. The men are better housed, particularly in the City of Bombay, with a consequent improvement in their morale and discipline. If any change in the Police Department be now advocated, it would be interesting to hear the grounds for the change.

30. I take the next important branch of expenditure—Education. Under Education the expenditure in 1920-21 was 144 lakhs. This year it is 206½ lakhs and in the next year's Budget we have provided 207½ lakhs. The increase is chiefly due to the grants to Local Bodies for Primary Education which have risen from 52 lakhs in 1920-21 to 120 lakhs in the next year.

Constant demands are made for the increase of expenditure under this head: for larger grants to the University, to Colleges, to Secondary Schools and to Primary Schools.

While it is sometimes argued that Secondary Education is probably cheaper in this country than in any other civilised country, and that a large share of the cost should be borne either by parents or by private benefactors, yet until that view receives general support there is little scope for retrenchment of public money. On the other hand there is some pressure in favour of an increase of salaries to Primary teachers. It

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must not be forgotten that there are some 25,000 Primary teachers in this Presidency and that an increase of even one rupee per month in their salaries would amount to a recurring liability of Rs. 3 lakhs per annum. Moreover there is no indication so far that satisfactory teachers cannot be obtained on the present scale of salaries. It certainly appears improbable that any considerable retrenchment can be secured in this Department.

31. The next largest head is Civil Works.

In 1920-21 our expenditure was 207 lakhs. All this expenditure was met from revenue and none from loan money.

This year our expenditure is expected to amount to 202 lakhs of which 82 lakhs is from loans; while in the next year we have provided 194 lakhs of which 54 lakhs will be met from loan money.

Some years ago I mentioned to the House that the Public Works Department are entrusted with the maintenance of roads and buildings which have cost the State over 65 crores of rupees. It is clear that the cost of maintaining this public property must go on increasing from year to year. On the maintenance of our roads alone we spend some 33 lakhs annually; while we get back in the shape of tolls a sum of 8 lakhs of rupees only.

Some members of the House have been vigorous in pressing the abolition of tolls: some of these members are equally enthusiastic in pressing for the abolition of all taxation (Laughter): and certainly of Excise and Land Revenue. They are no doubt gratified by the abolition of tolls on certain roads which brought in a revenue of 2½ lakhs of rupees; but I hope that their efforts will meet with no further success; for somebody must pay for the upkeep of the existing roads and for the extension of roads into areas where communication is difficult. And it appears to me to be just that those people should pay for the roads who use them.

In England the roads were constructed out of toll money and out of very heavy taxation on vehicles: and public Coaches used to pay a License Fee of Rs. 500 and more per month. I hope that it may be possible to introduce some form of taxation for Motor Cars and Motor Lorries which would take the place of tolls and make those vehicles pay for the damage which they do to public roads. It may interest the House to know that last year Motor Car taxes in England amounted to 20 crores of rupees and this sum was allotted to the maintenance and improvement of roads.

These three departments represent nearly one-half of our expenditure.

32. I will not weary the House with a detailed survey of the situation in each Department: for I desire to concentrate attention on some of the most difficult of our problems. I will not, therefore, stop to examine the view that our administration of Justice is too lavishly equipped. Since our Courts are fully occupied, as in fact they are, it may I think be presumed that they are serving the public need.

It is commonly conceded that if justice is costly it is due more to the fees paid to Lawyers than to the fees paid to Courts. If the fees paid to Lawyers are excessive, it is open to the public aggrieved to move the



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State to intervene as once it did intervene in England when the priest-charged too much for their services.

In 1362 in England a Statute was passed restricting the fees of priest and imposing a penalty whereby a man who paid more than was laid down in the Statute was bound to pay an equal sum to the King. That is a precedent which I commend to the House both as a means of relief to litigants and a most promising source of public revenue. (Hear, hear.)

33. Now in regard to the order in which the various demands will be discussed, it has been represented to me that there is a desire in various quarters of the House to have an early opportunity of discussing certain particular Departments.

Until last year these demands were taken in the order in which they are printed in the Budget. Last year we worked backwards. I propose this year to begin at the middle and work downwards starting with Education, to enable a full discussion to be held on important matters connected with the Development Department on which the House, I understand, desires to have full information, while it is still fresh and vigorous.

34. The House has been informed in the address of His Excellency the Governor of the action which Government propose to take in regard to the Back Bay Reclamation. The Report of the Advisory Committee has been in the possession of members for some time; and it makes clear that the high hopes formerly entertained of large profits to be gained from this enterprise are not likely to be realised. The Committee have set forth a candid criticism of the Scheme and have furnished their advice as to the results that will be obtained if the machinery available in the shape of the dredgers gives no better results than hitherto. That is the crux of the situation and I will try to explain it in unprofessional language.

We have a dredger called the "Sir George Lloyd" working in the harbour and propelling mud and water into the area to be reclaimed. We were told that this dredger could supply mud at the rate of 2,000 cubic yards per hour. Last season it supplied mud at the rate of 462 cubic yards per hour: or less than one-fourth of the expected discharge. This is the primary reason why the cost of filling of the reclaimed area has risen from 5 annas a cubic yard to Re. 1-3-0 per cubic yard; and this fact upsets the basis of all the calculations of cost and of profit.

35. The first question that arises is why has this machine so failed; and the answer suggested is that the material at the bottom of the harbour is of a different character from what was anticipated. It was anticipated that the dredger would have to cut away soft clay in banks 50 to 70 feet deep. Such banks have not been found and in most places the clay is interspersed with rocks and so hard that the cutting machinery of the dredger fails to secure material suitable to suck in and push through the pipes. The reduction in the delivery from 2,000 cubic yards to 462 necessarily involves a longer period of work and this means a heavier cost in interest and establishment.

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A similar result has been obtained with the second dredger called the "Kalu" which is working in Back Bay; and here in place of 1,500 cubic yards per hour, the discharge will be 340 cubic yards.

In October last the Sub-Committee estimated that if all work were closed down and no part of the reclamation completed, the loss would amount to 488 lakhs. They further estimated (on the assumption that operations would proceed until three out of the eight sections of the Reclamation were completed, Sections 1 and 2 at the North end and Section 8 at the South end) that even if the outturn of the dredgers was no better than the figures I have quoted above, still the loss would be reduced to a figure in the neighbourhood of 3 crores. The problem before them was on the one hand a certain loss of 488 lakhs with no compensating benefit, and on the other hand a probable reduction of the loss to 300 lakhs with compensation in the shape of open spaces for the benefit of the City of Bombay.

36. The Government are of opinion that the recommendation of the Committee is sound. They believe that the Committee have stated their case fully and fairly and that there is no ground to suspect them of undue optimism: while it is possible that the rate of delivery may improve if banks of clay can be found of better consistency.

The time of the completion of the several sections of the scheme is of the greatest importance to the financial results. As soon as block 8, comprising 247 acres, is finished, the Government of India have undertaken to take it over for Military purposes and pay us 239 lakhs. The Committee recommend that we should supplement the dredging in regard to Blocks 1 and 2 with dry filling: and trains with this dry material have to be brought along the B. B. & C. I. Owing to the limited space available, the number of such trains has been restricted to two only and progress is at present slow. When we have made some further progress with Block 1, then we shall be able to bring more trains over the space reclaimed and make faster progress with Block 2.

According to the programme we shall have land available for sale in Blocks 1 and 2 in 1931: and by the experience then available of the market value of the reclaimed areas, our successors will be able to judge whether it is wise or not to continue with the rest of the full programme of Reclamation. The House is immediately concerned with the financial results of the scheme thus restricted; and for the purpose of the Budget we have assumed that there may be a loss of 3 crores and have provided a sum of 20 lakhs as a Sinking Fund to cover the Interest and Sinking Fund charges of this possible loss.

I fear that I have invaded the sphere of the Honourable Member in administrative charge of the Department in presenting this detailed survey. The matter is of such deep concern to the House that I think that they should have some summary of our policy presented for their approval at the earliest possible moment.

37. I would ask the House to examine very carefully the arguments of those who desire to spread abroad feelings of distrust and pessimism. I would ask them to realise their own strength and to consider the full

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value of the figures which have been placed before them of the scale on which the State is called upon to work. The State works with a wide horizon and a distant view : and so long as it can command the confidence of the people it cannot go far wrong.

As I have pointed out earlier, we will have a balance to our credit on 1st April next of 602 lakhs consisting of three parts :

Famine Insurance Fund—194 lakhs.

Loan Balances—57 lakhs.

Current Balance—351 lakhs.

We have been criticised in the past on the ground that we have been building up excessive balances : and we have replied that they might be necessary for the maintenance of our credit in the public Market.

38. There is one matter, not indeed directly connected with the Budget, which, none the less, deserves the attention of the House. Last August this House passed a Resolution advocating the abolition of the Cotton Excise Duty ; and this Government communicated that Resolution, with certain arguments and recommendations, to the Government of India. Three months later, His Excellency the Viceroy issued an Ordinance suspending the Excise Duty ; and its abolition will be debated in the Legislative Assembly next month.

It is not necessary at this stage to enter into the history of the Cotton Excise Duty ; but it was a Duty that aroused much public agitation and it was specially resented in Bombay because this Presidency is the main seat of the Indian Cotton Industry. The removal of a grievance which not only offended the public sentiment but also injured the economic prosperity of this Presidency is a striking example of the success that can attend the united efforts of this House and of this Government (hear, hear.) I trust that this success will be recognised in all quarters, since every section of the House took part in that Resolution, as a good omen of future progress, co-operation and good will (hear, hear). The old adage holds good "United we stand, Divided we fall". (Applause.)

39. I cannot do better in closing my remarks than quote from a recent speech by Mr. Ramsay Macdonald :

".....the only practical man in the handling of great human issues is a man with faith, a man with a belief, a man with a conception that the world is working out through pain and strife and sorrow to a great and magnificent end....."

With these remarks I present the Budget to the House. (Cheers.)

The Honourable the PRESIDENT : Before adjourning the House I should like to ask what the wishes of the House are in regard to meeting on Wednesday. I take this opportunity of bringing it to the notice of honourable members so that they may be able to tell me tomorrow what would suit them best. Honourable members are aware that His Excellency has issued invitations for an At Home on Wednesday, the 24th, at 4-50 p.m. I should like the House to consider at what hours they would like to meet on Wednesday and at what time they desire to adjourn.

The house will now adjourn till 2 o'clock to-morrow.









*Tuesday the 23rd February 1926.*

The Council re-assembled at the Town Hall, Bombay on Tuesday the 23rd February 1926, at 2 p.m. the Honourable the PRESIDENT Sir IBRAHIM RAHMTOOLA, KCSI, CIE presiding

*Present.*

ABDUL LATIF HAJI HAJRAT KHAN, ML.  
ABDULPURKAR, Mr. N. A.  
ABIRKROMLIE, Mr. J. R.  
ADDYMAN, Mr. J.  
ADWANI, Mr. D. B.  
AHMAD, MOULVI RAHUDDIN  
BHOPIKAR, Mr. L. B.  
BHUTIA, Khun Bahadur S. N.  
BOLL, Mr. S. K.  
BUNIER, Mr. J. P.  
COOPER, Khan Bahadur D. B.  
DABHOLKAR, Sir VASANTRAO A.  
DADACHANJI, Dr. K. E.  
DEHLAVI, the Honourable Mr. A. M. K.  
DESAI, Rao Sahib D. P.  
DIY, Mr. S. S.  
DIXIE, Dr. M. K.  
FERNANDEZ, Dr. COSMAS  
FRANKE, Mr. K. S.  
GHOSAL, Mr. J.  
GHUTAM HUSSAIN, the Honourable Sir  
GUJRAL, Mr. N. R.  
HAJI KHAMISO GUL MAHOMED  
HAMID M. ABDUL ALI, Mr.  
HARRISON, Mr. C. S. G.  
HATCH, Mr. G. W.  
HELPER, Sir LAWLESS  
JADHAV, the Honourable Mr. B. V.  
JATOI, Khan Sahib HAJI SERAI IMAMBAKSH  
JATOI, WADERO KADIRBAKSH  
JEHANGIR, the Honourable Mr. COWASJI  
JOSHI, Mr. P. G.  
KALBHOR, Mr. G. M.  
KAMBLI, Rao Bahadur S. T.  
KARKI, Mr. M. D.



KAZI INA TULLACHAN  
 KACHROO, Mr. M. S.  
 KOKANI, Mr. G. J.  
 KOTHIAR, Mr. V. R.  
 LAHU NARSINGH, Mr.  
 LAITHEE, Mr. HOOSLENDHON, A.  
 LAWRENCE, the Honourable Sir HENRY  
 MAYHEW, Mr. A.  
 MAHAPANKAR, Mr. G. K.  
 McKILL, Mr. W. G.  
 MEHTA, Dr. M. M.  
 MEHTA, the Honourable Sir CHUNILAL  
 MONTGOMERIE, Mr. A.  
 MOUNTFORD, Mr. L. J.  
 MUMTIDAR, Sardar G. N.  
 MURKADAM, Mr. W. S.  
 NARILLYALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NAVLE, Mr. N. E.  
 NEKALJAY, Mr. R. S.  
 OWEN, Mr. A. C.  
 PAHALAMANI, Mr. B. G.  
 PARANIPPE, Dr. R. P.  
 PATIL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATHAN, Mr. A. F. I. K.  
 PATIL, Mr. D. R.  
 PERTVAL, Mr. P. E.  
 PETCH, Mr. F. W.  
 POGGAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 RAHIMTOOLA, Mr. HOOSINALLY M.  
 RIEU, the Honourable Mr. J. L.  
 SANEHA, Mr. H. D.  
 SAPTARSHI, Mr. C. M.  
 SARDESAI, Mr. S. A.  
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.  
 SHINDE, Mr. R. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SURVE, Mr. A. N.  
 SURVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.  
 THAKOR of ANOD, the  
 THOMAS, Mr. G. A.  
 VELKAR, Dr. M. B.  
 WEBB, Mr. M.  
 WILES, Mr. G.  
 WOODS, Mr. E. E.

## DRINKING WATER FOR PILGRIMS AT DAKOR.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state whether they intend to make provision for supplying drinking water to the large number of pilgrims who visit Dakor?

The Honourable Sir GHULAM HUSSAIN: Attention of the honourable member is invited to the reply given to the question\* put by the honourable member for the Kaira District.

## THE DHOLKA-VAUTHA ROAD.

† Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

- (a) how much portion of the Dholka-Vautha road is metalled;
- (b) what is the total length of the road;
- (c) when was that road in the hands of the Public Works Department;
- (d) when was that road handed over to the district local board of Ahmedabad;
- (e) what was the condition of the road before its transfer to the district local board;
- (f) what was the amount of money spent by the Public Works Department during the five years preceding the transfer;
- (g) whether they are aware of the frequent complaints made by the people against the condition of that road?

The Honourable Sir GHULAM HUSSAIN:

- (a) 3 miles, starting from Dholka municipal limits;
- (b) about 9 miles (from Dholka to Vautha *via* Sahij);
- (c) and (d) only a portion, *viz.*, 4 miles, 6 furlongs, 460 feet of the road was in the hands of Public Works Department for maintenance till 1st April 1925 when it was handed back to the District Local Board, Ahmedabad. Now the whole road is in the hands of that body.

(e) Satisfactory in respect of the metalled 3 miles and fair for the remaining 1 mile and 6 furlongs.

(f) Rs. 20,495 for metalling and special repairs from 1919-20 to 1923-24 and Rs. 2,200 per annum for maintenance.

(g) No complaints have been brought to the notice of Government.

## KHARAGHODA CUSTOMS LINE SPORTS.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

- (a) whether it is true that the Inspectors of the Kharaghoda customs line raise funds every year for sports from the villages situated along the line?

\* *Vide* Vol. XV, pages 684, 685.

† This question was asked at the meeting held in July-August 1925, when *ad interim* reply was given.

(b) What is the amount of the fund raised by them?

(c) Whether they go on footing expectations to villas along the line?

(d) Whether they have in the tank applying drill in the case of people of village Dandah in Dhule District?

The Honourable Sir CHUNILAL MEHTA (a) and (b) The attention of the hon. member is invited to the fact that the question put by the hon. member is not for the Dhule District.

(c) Yes, occasionally to provide them with the necessary other services available.

(d) No.

Mr. J. C. SWAMINARAYAN: The hon. member says that the officers go to adjacent villages and buy out the land of those villages in order to make free houses for the people?

The Honourable Sir CHUNILAL MEHTA: I have given the answer in (c).

#### SUBORDINATE MEDICAL SERVICE OFFICERS.

Mr. J. C. SWAMINARAYAN (Almudind District). Will Government be pleased to state

(a) whether they are aware that the personal allowance granted to Subordinate Medical Service Officers in Government Resolution No. 2991 dated 3rd December 1923 in modification of Government Resolution No. 526, dated 7th March 1922, are only a partial relief for the great loss they underwent in losing their well-earned senior grade promotion after serving several years in the lower grade.

(b) whether they are aware that by ignoring the promotion granted by the Subordinate Medical Service officers after 1st March 1921 but before the issue of Government Resolution No. 526 of 7th March 1922 they were put on the same scale of pay with those officers who were nine years junior to them.

(c) whether Government resolutions take effect from the date of their issue and retrospective effect is given only for benefits to public servants and not for inflicting losses on them?

The Honourable Mr. B. V. JADHAV: (a) As in the case of most of the establishments in other Departments, the revision of the pay of Subordinate Medical Service officers was given effect to from the 1st March 1921. The starting pay of these officers in the revised scale was fixed in accordance with the principles laid down by Government and adopted uniformly in the case of all establishments. In the case of a general revision of pay concerning an establishment of over 500 men it is not possible that all can have the same rate of benefit or increase. In such a case the principle of the good of the greatest number is generally followed. The few who did not get the same amount of benefit as the rest were compensated by the grant of personal allowances.

\* Vide Vol. XV, page 618.

† This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

(b) In some cases juniors by two to five years service, and not nine years, have started on the same rate of pay as the seniors. These cases were however few and the senior men were compensated by the grant of personal allowance.

(c) Previous to the revision the promotion was by grades, but this automatically ceased on the introduction of the revised scale of pay. There could therefore be no question of any Subordinate Medical Service officer claiming after that date both the grade promotion under the old system as well as the revised time scale of pay.

#### INSPECTION OF MUNICIPAL RECORDS, DHOLKA.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) (a) Whether it is a fact that the president of the Dholka Municipality passed an order prohibiting the municipal councillors, including the members of the managing committee, from inspecting all the municipal records,

(b) whether it is a fact that petitions in this connection were submitted to the authorities concerned,

(c) if so, what steps have been taken by Government in the matter?

The Honourable Sir GHULAM HUSSAIN. The information will be given during the course of this session.

#### CHITARWADA THANA POLICE.

Mr. J. C. SWAMINARAYAN. Will Government be pleased to state—

(a) whether the Jamadar and the policemen of Chitarwada Thana entered the house of a potter of village Kanka in Dholka Taluka and took away grain from earthen vessels?

(b) whether this matter was reported to the higher authorities?

(c) if the reply to (b) is in the affirmative, will Government be pleased to state what steps they took in the matter?

The Honourable Mr. J. L. RIEU: (a) A Jamadar and a police constable entered the house of a potter to purchase earthen pots required by them while on duty at Vautha Fan. They did not take away any grain nor has this been alleged by the potter. They merely took the earthen pots.

(b) No complaint was made to any officer until seven months later.

(c) Steps are being taken to see that the proper price which was in dispute is paid to the potter for the earthen pots.

Mr. H. D. SAHEBA: Do Government propose to take early action against this robbery by the police?

The Honourable Mr. J. L. RIEU: There was no act of robbery at all. The pots were required for a Government purpose and they were to be paid for.

Mr. H. D. SAHEBA: Do I understand Government to mean that any man can take away any article without paying for it because it is required by Government or for Government purpose?

The Honourable Mr. J. L. RIEU : The question of price is in dispute and Government are prepared to pay the price when the matter is settled.

Mr. W. S. MUKADAM : May I know when the pots will be paid for ?

The Honourable Mr. J. L. RIEU : I am afraid I cannot say.

Mr. W. S. MUKADAM : Were the potters paid actually when they refused the pots ?

The Honourable Mr. J. L. RIEU : The pots were not paid for ; but they will be paid for.

Mr. W. S. MUKADAM : Why were they not paid ?

The Honourable Mr. J. L. RIEU : I have already said the matter is still in dispute. As soon as it is settled, payment will be made.

Mr. P. G. JOSHI : May I know whether earthen pots were taken away with the consent of the potter ?

The Honourable Mr. J. L. RIEU : I have no information on the subject.

Mr. W. S. MUKADAM : Will Government make enquiry and find out ?

The Honourable Mr. J. L. RIEU : As already stated, the matter is under enquiry.

#### GOVERNMENT NOMINATIONS TO AHMEDABAD SCHOOL BOARD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to place on the Council table the correspondence between the Educational Inspector, N. D., the Collector of Ahmedabad and the Director of Public Instruction as regards the question of nominating members of the school board of the Ahmedabad municipality ?

The Honourable Mr. B. V. JADHAV : Government regret that the request of the Honourable Member for the Ahmedabad District cannot be complied with as the papers in question form part of an official correspondence and are confidential.

#### BORING AT SANAND.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether the people of Sanand in Ahmedabad District offered a sum of Rs. 15,000 to Government on condition that a boring provided with a cistern and pipes be constructed ;

(b) whether the offer was accepted without raising any objection to the conditions at the time of its acceptance ;

(c) whether the people of Sanand have repeatedly asked them to comply with the condition of fitting up boring with a cistern and pipes ?

(d) if so, will they be pleased to state why they have delayed the matter so long ?

The Honourable Sir GHULAM HUSSAIN : (a) Yes, but the condition in regard to the cistern and pipes was proposed by one of the contributors.

(b) Yes.

(c) Yes.

(d) Because of investigations into increasing the yield of the bore.

Mr. J. C. SWAMINARAYAN : Are the investigations completed ?

The Honourable Sir GHULAM HUSSAIN : No, Sir.

#### INSTITUTION FOR DEFECTIVES.

\*Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased—

(a) to give a list of the institutions for defectives in the province of Bombay and state the amount of Government grant given to each of them ;

(b) to state what steps they have taken to train teachers for defectives, sufficient for establishing one Government school for defectives in each division of the province ?

The Honourable Mr. B. V. JADHAV : (a) There are six schools for defectives in this Presidency—three for the blind and three for deaf-mutes. They are in receipt of grants-in-aid as shown below :—

	Grants paid in 1924-25.
	Rs.
1. The Anglo-Marathi School for the Blind, Bombay ..	3,028
2. The Vernacular Marathi School for the Blind, Bombay ....	2,640
3. The Ida Rieu Poor Welfare Association's School for the Blind, Karachi ..	800
4. Professor Date's School for deaf-mutes, Bombay ..	1,160
5. The Institution for deaf-mutes, Bombay ..	4,064
6. The school for deaf-mutes, Ahmedabad ..	4,067

(b) When the matter was considered by Government in 1920, they did not consider it necessary to maintain a special school for training teachers for the education of defectives. Government are however prepared to give liberal aid to private and public bodies which establish such institutions.

#### THE SATHE-PARANJPYE SCHEME.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) how many local boards and Municipalities were asked to express their opinion on the Sathe-Paranjpye scheme ;

(b) how many of them expressed their opinion in favour of the scheme and how many against ?

The Honourable Mr. B. V. JADHAV : Information is being collected.

\* This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

## AHMEDABAD-KUTNA ROAD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) the amount of money spent by the Public Works Department on the Ahmedabad-Kutna (Kuha?) road;

(b) what portion of the road has been constructed?

The Honorable Sir GHULAM HUSSAIN: (a) Rs. 55,000. The road referred to is the Ahmedabad-Kuha road, pronounced

(b) Two miles five furlongs.

## BOUNDARY MARKS.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) what amount they paid to the contractors for repairing the boundary marks and what amount they received from the cultivators during the current year?

(b) If the reply to (a) reveals an excess recovered from the cultivators, will Government be pleased to state whether section 12<sup>1</sup> of the Land Revenue Code authorizes the recovery of anything in excess of the actual expenditure? If not, will Government be pleased to state under what authority they are recovering the excess?

(c) Will Government be pleased to state whether it is correct that they have ordered the excess to be refunded in the Prantij Taluka? If so, will they be pleased to state why they have not refunded the excess in the whole presidency?

The Honourable Sir CHUNILAL MEHTA: (a) In the Presidency proper and in Sind (excluding the Bombay Suburban Division) Rs. 1,02,871-7-2 were paid to the contractors for repair of boundary marks during 1921-25. The amount received from the cultivators during the same period was Rs. 1,28,733-15-8. In the Bombay Sub Division contracts for repairs were given at the rate of Re. 0-8-0 for every new stone and the same amount was recovered from the cultivators.

(b) Already answered.

(c) Orders have been issued for the refund of excess in the case of the villagers of Raslod in the Prantij Taluka of the Ahmedabad District. No such cases of excess recoveries are reported in the Southern Division, Bombay Suburban Division and Sind or Northern Division except Ahmedabad and Kaira. In the latter district the excess has been refunded. In the Central Division the amounts recovered in excess were not refunded as they were recovered as a penal charge.

\* This question was asked at the meeting held in July-August 1925, when an *ad interim* reply was given.

† This question was asked at the meeting held in February-March 1926, when an *ad interim* reply was given.

## HONORARY MAGISTRATES, NADIAD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): (a) Will Government be pleased to state the names of the honorary magistrates of benches A and B of Nadiad and the educational qualifications of each of them?

(b) Will they be pleased to state whether it is a fact that practically the same people are being appointed by the Government for the last ten years though more qualified men are available in Nadiad?

The Honourable Mr. J. L. RIEU: (a) and (b) Statements giving the necessary information are placed on the Council Table.

## AHMEDABAD MUNICIPAL SCHOOL BOARD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether it is a fact that Dr. Paranjpye when introducing the Primary Education Bill gave an assurance on behalf of Government that Government would not exercise their power of nominating members in the school boards of the local authorities if they found that the school board elected by the local authorities was quite suitable and represented all the interests;

(b) whether they reaffirmed that assurance given by Dr. Paranjpye by their Resolution No. 3608, dated 3rd April 1925;

(c) the names of the members elected by the Ahmedabad municipality for the school board;

(d) whether those elected members fully represented all the interests contemplated by the Primary Education Act;

(e) if the answer to (d) be in the affirmative, will Government be pleased to state the reasons which prompted them to nominate two members of the school board of Ahmedabad municipality;

(f) if the answer to (d) be in the negative, will Government be pleased to state which interests were not represented on the school board of the Ahmedabad Municipality and how the members nominated by them represented those interests?

The Honourable Mr. B. V. JADHAV: (a) Yes.

(b) In the Government Resolution referred to by the Honourable Member, Government have approved only the procedure to be followed by officers in the submission of their proposals regarding the nominations to School Boards of Local Authorities.

- (c) 1. Balvantrao Parmodrai Thakore.  
 2. Behn Sulochanna Desai.  
 3. Mr. Alibhai Gafarbhai.  
 4. Mr. Himatlal Dalsukhram Saheba.  
 5. Mr. Kachrabhai Kalidas.  
 6. Mr. Kalidas Jaskaran Javeri.  
 7. Mr. Manilal Chaturbhuj Shah.  
 8. Mr. Jivanlal Hariprasad Diwan.  
 9. Dr. Gulam Nabi Amirbhahi.



(d) No.

(e) In view of the report to (d) above, the question arises whether the Government should take any steps to ensure that the Municipalities are not overburdened by the payment of the land revenue. The Government may consider the possibility of exempting the Municipalities from the payment of the land revenue, or of reducing the rate of the land revenue payable by them, or of providing some other means of raising the revenue of the Municipalities.

#### NOTICE TO REVENUE LOCAL BOARD

Mr. J. C. SWAMINARAYAN (Almora District) Will Government be pleased to state—

(a) whether it is a fact that the notice of the local board of revenue is not being complied with by the local board?

(b) if so, all the steps taken to enforce compliance by the notice is not being taken in regard to the local board?

The Honorable Mr. CHUNHAL MATHA (a) and (b) Yes in accordance with the provisions of the Land Revenue Code.

#### REPORT TO CANALS AT SHOLAPUR

Mr. ABDUL KADIR HAJI HAJRAT KHAN (Poon) and Sholapur City) Will Government be pleased to state—

(a) what will be the total expenditure of the repair of the right bank canal at Sholapur from rule No. 19 to rule No. 26?

(b) what will be the total expenditure of the repair of the left and right bank canals at Sholapur separately?

The Honorable Mr. COWASJI JELANGIR.

(a) Rs. 25,000.

(b) Right Bank Canal, Rs. 70,000.

Left Bank Canal, Rs. 15,000.

#### URDU PRIMARY SCHOOL, NAGARDEOLA

Mr. MOULVI RAFI UDDIN AHMAD (Central Division) Will Government be pleased to state—

(a) whether it is a fact that the Educational Department had promised to erect a building for the Urdu Primary school at Nagardeola in East Khandesh?

(b) If so, why is it not erected as yet?

The Honorable Mr. B. V. JADHAV: (a) The school being a local board institution it is not for the Educational Department but the District Local Board, East Khandesh, to erect a building for it. In reply to a question put by Khan Bahadur Ebrahim Haroon Jaffer in July 1919

Government, after making enquiries of the President of the District Local Board, informed the Honourable Member that the Executive Engineer East Khandesh, had been requested to prepare plans and estimates for the school houses that the work would be commenced as soon as the plans and estimates were approved by the authorities concerned and that it was expected that the building would be completed in 1920-21. It is probably this reply that has given rise to the misunderstanding that there was a promise.

(b) Because at the instance of the President, District Local Board, East Khandesh, the Executive Engineer, East Khandesh, was subsequently requested to postpone the preparation of plans and estimates for the building for want of funds.

MOULVI RAFIUDDIN AHMAD. Considering that it is now seven years that the reply of this Government was given, and as there are no funds available yet, will the Honourable Minister say for good that it will not be built at all, and not keep them in any more suspense?

The Honourable Mr. B. V. JADHAV. I think the matter will be considered by the district local board under the new Local Boards Act.

MOULVI RAFIUDDIN AHMAD. Will he give some reasonable time—one year or two years?

The Honourable Mr. B. V. JADHAV. It will depend much on the district local board.

#### DEPARTMENT OF CONSULTING SURVEYOR AND ARCHITECT

Mr. L. B. BHOPATKAR (Poona City). Will Government be pleased to state—

(a) what is the total strength of the department under the Consulting Surveyor to the Government of Bombay under the following heads.—

(i) officers getting Rs. 1,000 and over per month,

(ii) officers getting Rs. 500 to Rs. 1,000 per month;

(iii) officers getting Rs. 250 to Rs. 500 per month,

(iv) clerks getting up to Rs. 250 per month; and

(v) peons and chaprasis,

(b) the total annual cost of the department,

(c) how many of the officers are Europeans, and what is their monthly pay,

(d) how much each of the European officers drew by way of pay and allowances during the year 1st April 1924 to 1st April 1925?

The Honourable Sir GHULAM HUSSAIN:

(a) (i) 2.

(ii) 2.

(iii) 3.

(iv) 21.

(v) 14.

(b) Rs. 1,49,000.

(c) Two. The Consulting Surveyor to Government draws Rs. 2,150 in the grade of Rs. 1,500—20—2,250 and the Assistant Consulting Surveyor

to Government draws Rs. 1,000 in the grade of Rs. 750-50-1,250.

(d) Pay Rs. 37,650. Allowance Rs. 1,800.

#### COMPLETION OF THE BHAMBURDA TOWN-PLANNING SCHEME.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) what work the Poona City Municipality has up to now left undone towards the completion of the Bhamburda town-planning scheme;

(b) when the scheme will be made final?

The Honourable Sir GHULAM HUSSAIN : (a) The Municipality has—

(i) not yet come to a decision as to the inclusion of drainage and water-supply services in the scheme;

(ii) not yet decided what improvement to effect in the area of Purandare's Wada.

(b) It is not possible to fix the date.

#### FEES TAKEN BY THE CONSULTING SURVEYOR AND OFFICERS WORKING UNDER HIM.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether anything is charged to the local bodies when the Consulting Surveyor works as a town-planning arbitrator;

(b) whether it is a fact that the officers working under the Consulting Surveyor charge fees for their evidence as experts in courts of law? If so, their names, and the sum which each of them got for such fees during the year 1st April 1924 to 31st March 1925;

(c) whether the fee charged by them as expert witnesses is credited to the Government treasury? If not, why not?

The Honourable Sir GHULAM HUSSAIN : (a) No.

(b) and (c) There was only one such case during the period when the Deputy Assistant Consulting Surveyor appeared in Court. The fee of Rs. 90 charged by him was credited to Government.

#### THE KARACHI DROWNING ACCIDENT.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether their attention has been drawn to a communication under the caption "Karachi Tragedy" appearing over the signature of Principal G. N. Gokhale in the issue dated 27th September of the "Mahratta";

(b) whether they intend to compensate the families of the late Messrs. Joshi, Abhyankar and Herlekar who were washed away by the sea?

The Honourable Mr. COWASJI JEHangir : (a) Yes.

(b) The question has not yet been considered as no application has been received.

## PHOTO-COPYING SYSTEM OF REGISTRATION.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether it is a fact that the president of the “Shetkari Hita-wardhak Mandal” has addressed a letter to the Inspector General of Registration in the matter of the discontinuance of the photo-copying system;

(b) whether the Inspector General of Registration had asked for the opinions of the Collectors in the matter;

(c) whether such opinions have been received;

(d) if so, will Government place them on the Council table?

The Honourable Mr. A. M. K. DEHLAVI: (a) Yes.

(b) No.

(c) and (d) Do not arise.

## APPOINTMENTS IN THE B.M.S.

Mr. S. K. BOLE: Will Government be pleased to state why M.C.P.S. candidates are selected for the B.M.S. when they can get qualified university men?

The Honourable Mr. B. V. JADHAV: The selection of candidates for the Bombay Medical Service is confined to those holding the M.B.B.S. of the Bombay University. Only in rare instances, Members of the Subordinate Medical Service, who have passed their M.C.P.S., have been promoted to the Bombay Medical Service for exceptionally good work.

## SUBORDINATION OF B.M.S. OFFICERS TO SUPERINTENDENTS OF JAILS.

Mr. S. K. BOLE: Will Government be pleased to state whether the B.M.S. officer is subordinate to the non-I.M.S. Superintendents of Jails many of whom are not even qualified men and, if so, why?

The Honourable Mr. J. L. RIEU: The Medical Officer of the prison is subordinate to the Superintendent except as regards the medical treatment of the sick because the executive management of the prison is vested in the latter.

## ASSISTANT TO DEAN, GRANT MEDICAL COLLEGE.

Mr. S. K. BOLE: Will Government be pleased to state—

(a) whether the post of assistant to the Dean, Grant Medical College, is a full-time post;

(b) whether the present incumbent of the post gets any special pay and house-rent;

(c) how long will the same officer hold the present post;

(d) whether Government propose to give equal opportunities to all other officers for holding such posts?

The Honourable Mr. B. V. JADHAV: (a) The answer is in the affirmative.

(b) The post is reserved for the officers of the Bombay Medical Service. The present incumbent gets his grade pay *plus* house-rent and

compensatory local allowances admissible to other Bombay Medical Service officers in Bombay. The officer is debarred from private practice and is therefore given a special allowance of Rs. 100 per mensem in lieu thereof.

(c) and (d) The post is not reserved for any particular officer. As in the case of other Bombay Medical Service officers, the present incumbent of the post is liable to be transferred according to the exigencies of the service.

#### KHOTS AS POLICE PATELS.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) whether there are many *khots* who are also the police patels of the villages in the Ratnagiri and Kolaba districts ;

(b) what is their number in each of these districts ?

The Honourable Sir CHUNILAL MEHTA : Information will be called for.

#### LEPROSY IN MAHADEVKHAR.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) whether they are aware of the spread of leprosy in the Mahadevkhur village near Revdanda in the Kolaba district ;

(b) if so, how many persons are affected by the disease and what is the total population of the village ;

(c) what steps they have taken to check the disease and to uproot it altogether ?

The Honourable Mr. B. V. JADHAV : It is reported that no persons have been affected by leprosy at Mahadevkhur. There are four old cases at Navkhur, a mile from this village, but there has been no spread of the disease. The population of Mahadevkhur is 331 and that of Navkhur is 159.

#### REVENUE SETTLEMENT.

Khan Bahadur D. B. COOPER (Satara District) : Will Government be pleased to state—

In what Talukas or areas of the Presidency Revision Settlement has been introduced during the past five years and what have been the increases or decreases in the revenue due to the introduction ?

The information may please be supplied in the following form :—

- (1) Name of the Taluka or the particular area.
- (2) Date of the last revision.
- (3) Revenue at the time of the settlement.
- (4) Revenue under the Revision Settlement.
- (5) Increase or decrease as the case may be.

The Honourable Sir CHUNILAL MEHTA : Information will be collected.

#### COMMITTEE OF VISITORS TO CIVIL HOSPITALS.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) whether any committee of visitors is appointed for any of the civil hospitals in the presidency :

(b) if the reply be in the affirmative, in which hospitals such advisory committees are appointed;

(c) if the reply be in the negative, the reasons for not appointing such advisory committees?

The Honourable Mr. B. V. JADHAV: As indicated in Press Note No. 6055, dated the 17th July 1919, Advisory Committees have been appointed for the following hospitals:—

- (1) Sassoon Hospitals, Poona.
- (2) Civil Hospital, Belgaum.
- (3) Civil Hospital, Dharwar.
- (4) Civil Hospital, Ahmedabad.
- (5) Civil Hospital, Karachi.
- (6) Civil Hospital, Hyderabad.

#### CHINCHWAR PASTURE LAND BROUGHT UNDER CULTIVATION.

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(1) What was the total area of pasture land at Chinchwar in the Dhulia Taluka, West Khandesh, at the end of the revenue year 1921?

(2) How many acres out of that area have been brought under cultivation since then?

(3) Among how many cultivators were these areas distributed?

(4) How many of those cultivators are from Chinchwar and how many from outside?

(5) Is it true that to no single person, except to one man from Ner, more than 50 acres has been given out for cultivation?

(6) Is it true that several tenants from Chinchwar, holding less than 50 acres, were asked on the 28th June 1924 to vacate several acres of the lands so far leased to them?

(7) Is it true that one man from Ner, who had already 100 acres of land leased to him, was given 200 acres more on the 28th June 1924; if so, why was such a large area given out to this man?

(8) Have any complaints been made by the people of Chinchwar against the method adopted in the disposal of land in question?

(9) Have any principles been laid down for the guidance of revenue authorities in leasing out such lands? If so, what are they?

The Honourable Sir CHUNILAL MEHTA: (1) The area of pasture land originally available was 5,597 acres 37 gunthas. Out of this 1,722 acres were given out temporarily for cultivation before 1921. The area available for pasture at the end of 1921 was therefore 3,875 acres 37 gunthas.

(2) 1,276 acres 36 gunthas have been given out temporarily since 1921.

(3) The total area of 2,998 acres was given to 304 cultivators.

(4) 259 from Chinchwar and 45 from outside.

(5) Yes.

(6) No.

(7) One Fattesingrav Deshmukh, a Maratha agriculturist of Ner, applied to the Collector in the year 1914 for the grant of 600 acres of

land for cultivation by improved methods and for cattle breeding. The Collector, in consultation with the Divisional Inspector of Agriculture, G. D., ordered that 300 acres of land out of Chinchwar Pasture Forest should be granted to him. Out of this grant 100 acres were granted on Eksali tenure. As the selection of the remaining land could not be made at once, an area of 181 acres was recently granted.

(8) No. The people of Chinchwar only complained of the land having been given to Pattesingrav.

(9) No special principles have been laid down as the lands are only leased out temporarily at present. The question is, however, under the consideration of Government.

#### RECORD OF RIGHTS REGISTER.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether they had made any local enquiries in the matter of the difficulties in writing the register of record of rights in the village of Kanbewadi Budruk, inam village of taluka Khed of the Poona district, before they replied to my question during the last session that the register contained only four columns?

(b) Will they now be pleased to state how columns 13 and 15, new columns 9 and 11, should be filled in as Mr. Maxwell's new register to which Government probably refer has not as yet been introduced in the said village?

The Honourable Sir CHUNILAL MEHTA: (a) No.

(b) The reference to columns 13 and 15 appears to be a reference to an obsolete form of the Record of Rights superseded ten years ago. The reference to columns 9 and 11 appears to relate to these columns in Village Form VI as shown in the Revenue Accounts Manual. The method of filling up these columns, whether in inam or Government villages, is fully explained in the Revenue Accounts Manual.

The honourable member is informed that the Maxwell system of keeping the Record of Rights has been sanctioned with effect from 1st April 1923 and that instructions regarding the filling in of Village Form VI are applicable to this case also.

Sardar G. N. MUJUMDAR: May I know whether the obsolete form is in use at present in the village of Kanbewadi, by the orders of Government?

The Honourable Sir CHUNILAL MEHTA: I should like to have notice about that.

Sardar G. N. MUJUMDAR: Is the Maxwell system given effect to in the alienated villages in Poona and other districts?

The Honourable Sir CHUNILAL MEHTA: I should like to have notice about that also.

## PLANTING IN GOVERNMENT UNASSESSED WASTE LAND.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) what private persons have utilized the concessions given to them under the Land Revenue Code for planting trees in Government unassessed waste land at their own expense in the Poona District;

(b) in which villages and to what extent?

The Honourable Sir CHUNILAL MEHTA: The compilation of the information asked for by the honourable member would involve an undue amount of time and labour. Government therefore regret they cannot undertake it.

## DISALLOWANCE OF HOUSE BUILDING.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to give the reasons for which the Collector of Poona ordered the house of Mr. Janardan Narayan Anagal, built within the Deoolwada limits in pôṭ kharaba lands of survey No. 108 of the Bhamburda village near Poona, to be pulled down?

The Honourable Sir CHUNILAL MEHTA: No orders have been issued to pull down the said house in survey No. 108 of the Bhamburda village.

## THE BHIMASHANKAR FAIR TAX FUND.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state the present balance of the Bhimashankar Fair Tax Fund?

The Honourable Mr. J. L. RIEU: The present balance of the fund is Rs. 1,594-7-9.

## PHOTO-COPY REGISTRATION.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) the amount spent on photo-copying works for chemicals, postage, etc., in the Bombay Presidency from April 1922 to March 1925;

(b) the amount saved during the above period in the various registration offices to which the photo-copying system was or is made applicable permanently or temporarily?

The Honourable Mr. A. M. K. DEHLAVI: (a) Rs. 48,791.

(b) Rs. 89,712.

## LANDS UNCULTIVATED FOR WANT OF CATTLE.

Mr. M. D. KARKI on behalf of Mr. V. N. JOG (Dharwar District): Will Government be pleased to state what quantity of land fit for cultivation is left uncultivated mainly because cultivators have not sufficient cattle to till them?

The Honourable Sir CHUNILAL MEHTA: Government have no information.



## PROTECTION FROM WILD PIGS, SHIGGON TALUKA.

RAO Bahadur S. T. KAMBLI (Dharwar District): Will Government be pleased to state--

(a) Whether it is a fact that money has been collected from the ryots of Shiggon Taluka in Dharwar District for the purpose of building walls to prevent damage to crops by wild pigs?

(b) If so what is the total amount of money so collected?

(c) Where is the money deposited?

(d) What steps have been taken to carry out the purpose for which the money has been collected?

(e) If no steps have been taken as yet, what steps Government intend to take in this connection?

The Honourable Mr. A. M. K. DEHLAVI: Information has been called for.

## MILITARY LAND, COLABA.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state--

(a) what was the cost of filling in the military sections of 53.68 acres of military land at Colaba which is reported to have been filled in with an average of 3 feet below the finished level;

(b) whether the military authorities will accept the land as filled in now;

(c) if not what further expenditure will have to be incurred in filling in the land so as to make it acceptable to the military authorities?

The Honourable Mr. COWASJI JEHangIR: (a) Rs. 14,35,000.

(b) No.

(c) Rs. 3,08,526.

Mr. LALJI NARANJI: May I know whether, under the terms of the contract with the Government of India, this Government can receive money from them after the 53 acres are ready as a part of the contract?

The Honourable Mr. COWASJI JEHangIR: I presume what the honourable member wants to know is, if a part of the land is ready is the Government of India bound to take it over. The Government of India are not bound to take it over under the terms of the agreement, but we hope to negotiate with them and negotiate successfully to take over a part of the land as soon as it is ready.

Mr. G. B. PRADHAN: Is it block No. 8?

The Honourable Mr. COWASJI JEHangIR: Yes.

Mr. G. B. PRADHAN: Is the Government of India being approached for the enhanced value of the land? Because, the Bombay Government do not expect that land will be ready at Rs. 20 a square yard.

The Honourable Mr. COWASJI JEHangIR: That question does not arise from the reply given, Mr. President.

Mr. G. B. PRADHAN: My question was whether the Government of India have been approached with regard to the increased cost of the

land. According to the report which is in the hands of honourable members, the land is not likely to be ready at Rs. 20 a square yard, and I have asked whether the Government of India have been approached for paying the enhanced value of the land under these changed circumstances.

The Honourable the PRESIDENT : The point which the Honourable the General Member has raised is how the question arises out of the reply given.

Mr. G. B. PRADHAN : The question relates to the land to be taken over by the Government of India. I want to know whether the Bombay Government are going to give the land even at a loss to the Government of India, because they cannot reclaim the land at Rs. 20 a square yard.

The Honourable the PRESIDENT : If the Honourable the General Member wishes to reply, he may do so, but he is not bound to reply.

The Honourable Mr. COWASJI JEHangIR : Thank you, Sir. I will reply according to the figures in the sub-committee's report, the land will cost us from Rs. 19 to Rs. 21, when it is ready. Our latest information is that the land will be ready a year earlier.

Mr. D. B. ADWANI : Does this cost include the cost of the sea wall and all the interest charges ?

The Honourable Mr. COWASJI JEHangIR : Yes.

An Honourable MEMBER : Are the Government of India informed about this latest information that the land would be ready for occupation earlier ?

The Honourable Mr. COWASJI JEHangIR : According to the terms of the agreement, they are bound to take it over as soon as it is ready.

Mr. G. B. PRADHAN : No reply was given to my question. I wanted to know if the Government of India are being approached.

The Honourable Mr. COWASJI JEHangIR : We have not yet approached the Government. If it can be proved that the land is going to cost us more than Rs. 20, this Government will consider whether it is worth while approaching the Government of India. It has not been so proved ; it is still thought that it might cost us less.

Mr. K. F. NARIMAN : The military authorities originally agreed to purchase the land provided it was filled by dredging. Will they accept it now with the altered condition of dry filling instead ?

The Honourable Mr. COWASJI JEHangIR : The land in the military area is still being filled by dredging. Even assuming that murum filling is to be substituted it will be entirely to the benefit of the Government of India.

Mr. R. G. PRADHAN : Will the Government place the agreement on the Council table ?

The Honourable Mr. COWASJI JEHangIR : There is no objection to placing it on the table.

Mr. K. F. VARIMAN : Is it not a fact that the reclamation of the land by dredging is better than by filling with manure for the purpose of tree-plantation?

The Honorary Mr. COWASJI JEHLANGIR : It is not true.

#### HONORARY MAGISTRATE, RAIPUR

MOULVI RAFIUDDIN AHMAD on behalf of Khan Sahib A. M. MANSURI (Ahmedabad and Surat Cities) : Will the Government be pleased to state

- the name of the Honorary Magistrate at Raipur;
- what his educational qualifications are;
- whether it is a fact that there is "japti" over the estate since the last 30 years;
- whether it is a fact that he sold away certain machinery purchased out of the funds of a loan from Government?

The Honourable Mr. J. L. RICE : (a) Mr. Kesubha Bapubha.

(b) He has studied up to English VII Standard.

(c) The estate of Kesubha's father Bapubha, who is still living, was under management of the Talukdari Settlement Officer for liquidation of a loan advanced by the Sanad Estate which was also managed by the said officer under the Court of Wards Act. Bapubha's Estate was released from management on 30th June 1923.

(d) Mr. Kesubha had borrowed Rs. 1,000 as Tagavi from Government for the purchase of an oil engine. The oil engine was purchased from the said loan and was sold long ago.

#### HINDU AND MAHOMEDAN STUDENTS IN GOVERNMENT HOSTELS.

MOULVI RAFIUDDIN AHMAD on behalf of Khan Sahib A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state

- the respective number of Hindu and Moslem students residing in Government hostels attached to both high schools and colleges in the presidency proper;
- how many Mahomedan and Hindu students have been refused admission in these hostels.

The Honourable Mr. B. V. JADHAV :

(a)

Number of students residing in Hostels.				Colleges.	Schools.
Hindus	..	..	..	833	514
Mahomedans	..	..	..	72	119

(b)

Number of students to whom admission was refused.

Mahomedans	..	..	..	2	6
Hindus	..	..	..	79	35

## NOMINATION OF MAHOMEDANS TO LOCAL BODIES.

MOULVI RAFIUDDIN AHMAD on behalf of Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) whether they are aware that in about fifty nominations to the various local boards and municipalities made last year in the Kaira district Mahomedans have been practically excluded though some were recommended from some talukas;

(b) if so, why the claims of Mahomedans for nomination have not been recognised along with those of other communities?

The Honourable Sir GHULAM HUSSAIN : (a) It is a fact that in the Kaira district no Muhammadans have been nominated as members of the Kaira Municipality and the Kaira District Local Board but Government have no information whether any Muhammadans were recommended for membership. This information is being called for.

(b) This information also is being obtained.

## ASSISTANT JUDGES RECRUITED DIRECTLY FROM THE BAR.

Mr. G. K. MAVALANKAR (Ahmedabad City): Will Government be pleased to state -

(a) the number of Assistant Judges recruited directly from the bar during the last six years;

(b) how many of them held appointments as Government Pleaders, Public Prosecutors, Assistant Government Pleaders and Assistants to Public Prosecutors?

The Honourable Mr. J. L. RIEU : Only one member of the bar has been appointed an Assistant Judge during the period in question. He does not fall in any of the categories referred to in clause (b) of the question.

Mr. G. B. PRADHAN : What is the name of this gentleman?

The Honourable Mr. J. L. RIEU : Mr. D. S. Oka.

Mr. G. B. PRADHAN : What are the special qualifications of this man to deserve that place. Was he at the top of the bar?

The Honourable Mr. J. L. RIEU : His qualifications were considered to be sufficient for the post.

Mr. G. B. PRADHAN : Is it not a fact that there was a tussle between him while he was the president of the Nasik Municipality and other councillors and this job was given to him for taking the side of Government.

The Honourable Mr. J. L. RIEU : It is not a fact.

## INAMDARS FINED UNDER SECTION 91 OF THE LAND REVENUE CODE.

Sardar G. N. MUJUMDAR : (Deccan Sardars and Inamdars): Will Government be pleased to supply a list of Inamdars who have been charged penalties under section 91 of the Bombay Land Revenue Code?

The Honourable Sir CHUNILAL MEHTA : No inamdars were charged penalties under section 91, Land Revenue Code, during the last five years.

## AREA OF UNSURVEYED INAM VILLAGES.

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars): Will Government be pleased to state—

- (a) whether it is a fact that the area of the unsurveyed inam villages in the Bombay Presidency is treated as occupied area;
- (b) if so, on what grounds?

The Honourable Sir CHUNILAL MEHTA: (a) The general practice is as stated.

(b) The main ground is that, the villages being unsurveyed, proper division of the area under different heads, i.e., uncultivable, unoccupied etc., is not possible.

## VILLAGE FORM NO. 6.

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars): Will Government be pleased to state—

- (a) Whether the village form No. 6 in inam villages is not allowed to be retained by the inamdars?
- (b) If so, why?
- (c) Whether the inamdars can be supplied with copies of the same on payment of reasonable charges for the printed forms required for the purpose?

The Honourable Sir CHUNILAL MEHTA: (a) and (b) Yes. Because V. F. VI is a public record which is kept by, and is in the custody of, the village accountant of the village.

(c) Yes.

## POLICE CONSTABLES' DUTIES.

Mr. K. F. NARIMAN (Bombay City, South): Will Government be pleased to state—

- (a) How many police constables in the city police force are employed to do private and domestic duties for police officers;
- (b) Whether it is a fact that some of them are employed as motor drivers or domestic servants;
- (c) Whether the Local Police Act or any other regulations authorise a police officer to employ police constables for duties other than policing the city;
- (d) Whether a similar practice also prevails in the mofussil;
- (e) Whether in view of the fact that sufficient number of constables are not available for patrolling and other ordinary police duties, Government intend to issue directions discontinuing such practices?

The Honourable Mr. J. L. RIEU: (a) No police constables of the Bombay City Police force are employed to do private and domestic duties for police officers. There are, however, in all 70 constables who are doing duties as orderlies to certain police officers to facilitate the disposal of official work at their residences.

(b) All the Deputy Commissioners and most of the Superintendents use one of their orderlies as motor driver on journeys, three-fourths of which are in connection with their official duties. No policemen are used as domestic servants.

(c) No.

(d) Yes, except in Sind.

(e) The number of constables available for patrol and other duties is not affected by the manner in which gazetted officers employ their sanctioned escort parties or orderlies. Government therefore do not propose to issue any orders.

Mr. K. F. NARIMAN : Is it not a fact that these police orderlies are utilised as motor drivers by the police officers ?

The Honourable Mr. J. L. RIEU : Yes ; it is a fact ; that is the answer given in clause (b).

Mr. K. F. NARIMAN : The answer says ; " All the Deputy Commissioners and most of the Superintendents use one of their orderlies as motor driver on journeys three-fourths of which are in connection with official duties ; " and one-fourth for private purposes. Is it permissible ?

The Honourable Mr. J. L. RIEU : It is permissible and it is permitted.

Mr. K. F. NARIMAN : May I know under what regulation a police orderly can be utilised as motor driver for a journey three-fourths of which is for official and one-fourth for private purpose.

#### REVISION OF PAY OF PEONS IN GOVERNMENT OFFICES IN BOMBAY.

Mr. N. E. NAVLE (Ahmednagar District) : Will Government be pleased to state what steps they have taken to carry out the recommendation made in the resolution of Mr. Bole, about the revision of the scale of pay of *pattewalas* in all Government departments in Bombay, which was adopted by the Council in the last Bombay session ?

The Honourable Sir HENRY LAWRENCE : The question is being considered by Government.

Mr. N. E. NAVLE : Will Government please expedite the matter as it concerns poor people ?

The Honourable Sir HENRY LAWRENCE : Government will decide the question as soon as possible.

#### AMENDMENT OF USURIOUS LOANS ACT.

Mr. N. E. NAVLE (Ahmednagar District) : Will Government be pleased to state—

(a) whether they are aware of the fact that the Usurious Loans Act gives only one-sided relief at present, *viz.*, in the case of a pledge only when the suit is filed by the creditor, but not when it is filed by the debtor for the redemption of the pledge ;

(b) whether they are aware of the decision of the High Court in second appeal No. 746 of 1924 in which the High Court confirmed the decree of the Joint Subordinate Judge of Poona, Mr. C. H. Jani, in suit No. 1166 of 1923 ;

(c) if so, whether Government propose to take any steps to amend the Usurious Loans Act ?

The Honourable Mr. J. L. RIEU : (a) Yes.

(b) Yes.

(c) The question of the amendment of the Act is under discussion with the Government of India.

#### IRRIGATION IN GUJARAT, DECCAN AND SIND.

Mr. J. C. SWAMINARAYAN on behalf of Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased :-

(a) To place on the Council table a statement giving details of acres irrigated through tanks, canals and such other irrigation sources in Gujarat, Deccan and Sind respectively during 1923, 1924 and January to August 1925 ?

(b) To give the average expenditure per acre to Government in each of the above cases and the average income per acre on the same for the same period ?

The Honourable Mr. COWASJI JEHLANGIR : (a) and (b) As regards areas irrigated through tanks, canals and other irrigation sources in the Deccan and Gujarat and Sind, respectively, the Honourable Member's attention is invited to the statement III-E at pages 258 to 267 and pages 312 to 321 of the Irrigation Administration Report of this Presidency for 1922-23 and to the similar statement at pages 464 to 484 and pages 568 to 578 of the Report for 1923-24. The working expenses and the water rate assessed per acre irrigated are to be found in the statement II-E (columns 13 and 15) for Deccan and Gujarat and in the similar statement (columns 12 and 14) for Sind at pages 257 and 310 of the report for 1922-23 and at pages 460 to 463 and pages 564 to 567 of the report for 1923-24. Complete information for the period 1st April to 31st December 1924 and January to August 1925 is not available yet. These figures pertain to irrigation works for which capital accounts are kept. As regards works for which no capital accounts are kept information is not available and looking to the time, trouble and expense involved in the collection of the required information without any commensurate public advantage being obtained, Government regret their inability to furnish the information.

#### INSPECTORS OF REGISTRATION.

Mr. D. R. PATIL (East Khandesh District) : Will Government be pleased to state—

(i) how many persons have been appointed in the permanent cadre of Inspectors of Registration in the Marathi Division since 1907 ?

(ii) How many of them were (a) Brahmins, (b) Prabhus, (c) Hindus from the backward classes ?

The Honourable Mr. A. M. K. DEHLAVI : (i) Eleven.

(ii) (a), (b) and (c) Five were Brahmins, 5 Prabhus and one was a Christian. No Hindus from the backward classes were appointed.

Mr. D. R. PATIL : Is it a fact that the claims of the backward classes were overlooked ?

The Honourable Mr. A. M. K. DEHLAVI : No.

Mr. N. E. NAVLE : What are the reasons for not appointing a member from the backward classes ?

The Honourable Mr. A. M. K. DEHALAVI : There were no applicants.

MOULVI RAFIUDDIN AHMAD : Were the claims of the Mahomedans or Christians overlooked ?

The Honourable Mr. A. M. K. DEHLAVI : No.

#### SIZE OF PHOTO-COPIES OF DOCUMENTS.

Mr. G. B. PRADHAN (Thana and Bombay Suburban districts) : Will Government be pleased to state whether they intend to increase the size of the photo-copies to make them more readable with the naked eye ?

Honourable Mr. A. M. K. DEHLAVI : The question of enlarging the size of the photo-copies is receiving the attention of Government.

#### MINOR IRRIGATION WORKS IN NASIK DISTRICT.

Mr. R. G. PRADHAN (Nasik District) : Will Government be pleased to state what minor works of irrigation have been undertaken or are proposed to be undertaken in the district of Nasik in pursuance of the scheme sanctioned by the Council at the last session ?

The Honourable Sir CHUNILAL MEHTA : The question of repairing existing bandharas and constructing new ones will be investigated.

#### HELP TO TEXTILE TECHNICAL SCHOOL, BOMBAY.

Mr. R. G. PRADHAN (Nasik District) : Will Government be pleased to state—

(a) Whether they have received an application for financial assistance from the Committee of the Textile Technical School, Bombay, started by the Bombay Social Service League ?

(b) If so, what action they have taken on it ?

The Honourable Mr. B. V. JADHAV : (a) The answer is in the affirmative.

(b) Government have considered the application sympathetically but, in view of the present financial stringency, they regret that it has not been found possible to make any provision for a grant in next year's budget.

#### BARAWAFAT AND THE SMALL CAUSES COURT, BOMBAY.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City) : Will Government be pleased to state—

(a) whether it is a fact that Barawafat is not a holiday in the Small Causes Court, Bombay ;

(b) if not, the reasons why it is not observed as holiday in the Small Causes Court when it is recognised as public holiday by Government for the last thirteen years ?



The Honourable Mr. J. L. RIEU : (a) Yes.

(b) From the very beginning in view of the very small number of Muhammadan employees on the establishment of the Court in the Small Causes Court in Bombay and the equally small number of Muhammadan employees of the public institutions it has not been a habit of the Government to take into consideration circumstances not having a really clear-cut character. It has not been a habit to have followed in drawing up the list of public holidays for the Court. However, it is obvious that the Government have taken the opinion of Muhammadan employees into consideration in the past and have made a Muhammadan list in the past. However, I do not know whether the Government have any application without any difficulty.

Mr. HOOSENALLY M. RAHIMTOOLA : Are Government aware that Buryat is an important holiday for Muhammadans?

The Honourable Mr. J. L. RIEU : Government do not consider the importance and the number given to it as sufficient to make it one of the holidays.

Mr. HOOSENALLY M. RAHIMTOOLA : Are Government aware that there is a good number of Muhammadans in the Small Causes Court?

The Honourable Mr. J. L. RIEU : I have not heard of it.

MOULVI RAFI UDDIN AHMAD : Are Government aware that there is a large number of Muhammadan employees in the Court and that on all Christian holidays the court is closed?

The Honourable Mr. J. L. RIEU : Not on all Christian holidays.

MOULVI RAFI UDDIN AHMAD : All Christian holidays are recognised under the Negotiable Instruments Act while Muhammadan holidays are not?

The Honourable Mr. J. L. RIEU : Does the honourable member desire to make any definite suggestions on the subject?

MOULVI RAFI UDDIN AHMAD : The only suggestion I have to make is that so long as it is a public holiday.

The Honourable Sir HENRY LAWRENCE : Sir is the honourable member in order? He makes a suggestion.

MOULVI RAFI UDDIN AHMAD : I was asked to make a suggestion by the honourable member's colleague. If it is a crime, I will not do it.

Mr. HOOSENALLY M. RAHIMTOOLA : Are Government aware that a large number of holidays of other communities which are not public holidays are allowed as holidays in the Small Causes Court?

The Honourable Mr. J. L. RIEU : Government are prepared to consider any suggestions that may emanate from the court after making due enquiries.

#### APPOINTMENT OF PATIL AT BHUJAR.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether they are aware that the appointment of the patil at

Bhuyar taluqa Indi district Bijapur, has been made without consulting the inamdari, in spite of the Government Resolution on the subject;

(b) what action they propose to take in the matter?

The Honorable Sir CHUNILAL MEHTA The honorable member's attention is invited to the reply to the question by Sardar G. N. Mujumdar.

Mr S. A. SARDESAI Is it not a fact that the appointment has been cancelled as the inamdar was not consulted when making the appointment?

The Honorable Sir CHUNILAL MEHTA I should like to have notice of that question.

#### VILLAGE PATILS

Mr S. A. SARDESAI (Bijapur District) Will Government be pleased to state—

(a) whether they are aware of the possibility of the village patil becoming unduly powerful owing to his being made Sarpanch and being invested with powers,

(b) if so, do they propose to amend the Panchayat Act?

The Honorable Sir GHULAM HUSSAIN (a) Although the village patil is an *ex-officio* member of the Panchayat under section 5 of the Bombay Village Panchayats Act, 1920, he need not necessarily become the Sarpanch as the latter is elected by the Panchayat under section 12 (1) of the Act. Moreover, a Sarpanch who does not exercise his powers in a proper manner can be removed by the District Local Board under section 15 of the Act, on a representation made by the Panchayat.

(b) The Village Panchayats Committee has recommended that section 15 of the Act should be so amended as to permit of the removal of the *ex-officio* patil at the discretion of the Collector on a representation being made by the District Local Board. This recommendation is under the consideration of Government.

#### GOVERNMENT RECORDS REGARDING INAMDARS.

Mr. S. A. SARDESAI (Bijapur District). Will Government be pleased to state—

(a) whether papers in Government records concerning the inamdars are destroyed;

(b) whether they are willing to hand them over to the inamdars as they are important papers showing the relation between inamdars and their tenants?

The Honorable Sir CHUNILAL MEHTA : Information has been called for.

### ADVANCE TO EMIGRANTS, N. NASHIK DISTRICT

Mr. R. D. SHINDE (Nashik District) : Will Government please state—

- whether the adjustment of the advance on the N. N. Gold Refractory Road in N. District is under the supervision of the Assistant Commissioner, Nashik District;
- if not, what authority has been entrusted with the adjustment?
- whether the advance is to be repaid by the Government or by the emigrants?
- who checks the accounts?

Honourable Mr. A. M. K. DEHLAWI : (a) The advance on the N. N. Gold Refractory Road is under the supervision of the Assistant Commissioner, Nashik District. (b) The advance is to be repaid by the emigrants. (c) The advance is to be repaid by the emigrants. (d) The advance is to be repaid by the emigrants.

(b) It took some time to ascertain whether the advance made against the budget of the N. N. Gold Refractory Road in N. District is to be repaid by the emigrants or by the Government.

(c) In some instances the advance is repaid by the emigrants, in some cases by the Government.

(d) The advance is to be repaid by the emigrants. (e) The advance is to be repaid by the emigrants.

### KACHHVA ROAD

Mr. R. D. SHINDE (Nashik District) : Will Government please state—

- what is the estimate of the cost of Kachhva Road in Daham Taluka, North Thana Division;
- when was the work started;
- what portion is completed;
- whether the road is now open for use for traffic;
- when was it estimated to be finished?

Honourable Mr. A. M. K. DEHLAWI : (a) Rs. 90,000.

(b) From 1916.

(c) and (d) Culverts, timber tops, etc., on  $\frac{1}{2}$  of the number of Nallis are complete. One mile is muzzamed and consolidated.  $1\frac{1}{2}$  miles will be ready by the end of the current month and open for the use of traffic and  $3\frac{1}{2}$  miles early this fair weather. In addition much earth-work has been done on unfinished portions.

(e) No definite period was fixed.

### RABI LAND ACQUIRED BY THE FOREST DEPARTMENT.

Mr. R. D. SHINDE (Nashik District) : Will Government be pleased to state—

- How many acres of rabi land have been taken from private persons by the Forest Department in the West Nashik Division for the working plans operations?

- (b) How far have the working plans progressed ?  
 (c) Whether any regeneration, i.e., planting is made on the lands taken up if so, to what extent ?

Honourable Mr A M K DEHLAVI (a) All the *rahi* lands in Pemit are Government property. None have been taken from private persons by the Forest Department.

(b) The field work has been completed and the report is being prepared by the Divisional Forest Officer Working Plans.

(c) No plantation work has been undertaken in *rahi* lands.

#### GRAZING LAND, BHATHA VILLAGE.

Mr H. B. SHIVDASANI (Surat District) Will Government be pleased to state—

(a) Whether it is a fact that the people of Bhattha Village of Chorasi Taluka, district Surat, keep cattle and maintain themselves to a large extent by the sale of milk ?

(b) Whether the Bhattha people graze their cattle on the bet lands since many many years ?

(c) Whether lately Government has been allowing the Bharwards to graze their goats and sheep on the same lands ?

(d) Whether last year or the year before about 500 cows and buffaloes of the people of Bhattha died owing to the infection spread by the goats and sheep of the Bharwards ?

(e) Whether last year the Bharwards were prohibited from grazing their goats and sheep on the lands on which Bhattha people graze their cattle ?

(f) Whether this year the Bharwards have again been allowed to graze their goats and sheep on the bet-lands ?

(g) How has the portion of bet-lands set apart for the use of goats and sheep of the Bharwards been separated from the portion set apart for the cattle of Bhattha Village ?

(h) What steps have been taken for ensuring that infection of disease will not spread from the goats and sheep to the cattle ?

The Honourable Sir CHUNILAL MEHTA : Inquiry is being made.

#### HIMAYAT RECEIPTS FROM AND REPAIRS EXPENDITURE TO TANKS.

Mr. H. B. SHIVDASANI (Surat District). Will Government be pleased to give for each District of the Northern Division figures for the receipts from Himayat and expenditure on the repair of tanks both in charge of the Public Works Department and the Revenue Department for the year

(a) 1923-24 and

(b) 1924-25 ?

The Honourable Mr. COWASJI JEHLANGIR : The information has been called for.

## ENTRY OF THIRD CLASS PASSENGERS ON POONA STATION PLATFORM.

MR. A. N. SURVE (Bombay City, North): Will Government be pleased to state—

(a) whether it is a fact that third class passengers are allowed to enter upon the platform of the new railway station at Poona 15 or 10 minute before the time fixed for the departure of the train and till that time they are kept out waiting for departure?

(b) whether there is any rule fixing how long before the departure of trains third class passengers should be allowed to enter the platform?

The Honourable Sir CHUNILAL MEHTA: (a) Third class passengers are allowed on the platform for trains starting from Poona as soon as the empty train is backed on to the platform and for returning trains as soon as passengers arriving by the train alight on the platform. If passengers are allowed on the platform earlier than this, it is due to the fact that through entraining passengers trying to force their way into coaches before detraining passengers have alighted.

Through passenger trains wait at Poona station from 30 to 40 minutes whilst trains starting from Poona are backed on to the platform 15 to half an hour before departure time.

(b) There is no fixed rule, but the convenience of the majority of passengers is carefully studied.

SIR VASANTRAO A. DABHOLKAR: May I know how the standard of majority and minority is fixed? It is stated in an answer to query (b), "There is no fixed rule, but the convenience of the majority of passengers is carefully studied."

The Honourable Sir CHUNILAL MEHTA: The railway authorities are the judges of that.

SIR VASANTRAO A. DABHOLKAR: Are not the railway authorities bound to look to the convenience of each and every passenger without caring for majority or minority?

The Honourable Sir CHUNILAL MEHTA: I do not know. I think that will be a tall order to the railway authorities.

## SAVINGS IN RENTS OF SCHOOL PREMISES IN NASIK CITY.

MR. A. N. SURVE (Bombay City, North): Will Government be pleased to state the saving effected in rents of school premises in Nasik City?

The Honourable Mr. B. V. JADHAV: The Training School at Nasik was transferred to the High School building last year and the saving effected from it was Rs. 50 per mensem.

## ENGLISH CLASSES IN VERNAACULAR HIGH SCHOOLS, AHMEDABAD.

MR. J. U. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether the municipality of Ahmedabad applied to them for permission to open English classes in their vernacular high schools;

- (b) whether the permission was granted ;  
 (c) if so, when ?

The Honourable Mr. B. V. JADHAV : (a) Yes ; in respect of four of the primary schools maintained by the Ahmedabad Municipality.

(b) Yes, on certain conditions which were agreed to by the Committee of Management, Ahmedabad Municipality.

(c) In February 1924.

RESOLUTION OF DASKROI TALUKA LOCAL BOARD AGAINST ELLIS  
 BRIDGE TOWN PLANNING SCHEME.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether the Daskroi taluka local board has passed a resolution on the 30th September 1925, by a heavy majority protesting against the Ellis Bridge town-planning scheme ;

(b) whether the said resolution has been forwarded to Government for consideration before any final decision is arrived at ?

The Honourable Sir GHULAM HUSSAIN : (a) and (b) Government have no information

ALLOTMENT OF SEATS FOR HINDUS AND MAHOMEDANS ON DHOLKA  
 MUNICIPALITY.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether the Collector of Ahmedabad recommended 11 seats for the Hindus and 5 seats for the Mahomedans in the municipality of Dholka ;

(b) if so, the reasons why they have allotted 10 seats for Hindus and 6 seats for Mahomedans ;

(c) whether it is a fact that they have given more representation to the Mahomedans than was justified by their population ?

The Honourable Sir GHULAM HUSSAIN : (a) Yes.

(b) Ten seats were allotted to Non-Mahomedans and 6 to Mahomedans as the Non-Mahomedan population of Dholka is a little below  $\frac{2}{3}$ rd and the Mahomedan population is a little above  $\frac{1}{3}$ rd of the total population.

(c) No.

THE KHARI CUT CANAL.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether the Khari Cut canal is a perennial or a temporary canal ;

(b) if the canal is merely temporary why the rules of perennial canals have been applied to it ?

The Honourable Mr COWASJI JEHangir : Information has been called for.

### BOUNDARY MATTER IN KANTHIAVILLAGE

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to say whether the Government have received the report of the Government's surveyors in the village of Kantia or Dholka Taluk with reference to the boundary of the village?

(a) If so, will they be pleased to tell what the result is in the matter?

The Honorable Mr. SACHINLAL MEHTA (a) Deputy Commissioner: The marks reported on construction after the use of the Government's surveyors referred to have been recovered in conformity with the Government's survey. The marks have been recovered at present from the Government's survey of Kantia district Ahmedabad after the passing of the order.

(b) No action necessary.

### REPAIRS TO THE VILLAGE TANK AT DALOD, AHMEDABAD DISTRICT

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state

(a) whether the people of Dalod village in the Ahmedabad Taluk of the Ahmedabad district have requested Government to repair the village tank which is dried up;

(b) if so, what action they have taken in the matter?

The Honorable Mr. COWASJI JEHLANGIR (a) Deputy Commissioner: The question has been called for.

### GENERAL DISCUSSION OF THE BUDGET.

The Honourable the PRESIDENT, Honorable member: It is aware that three days are allotted for the general discussion of the budget and it has been usual to fix a time limit under the Standing Orders. I propose to fix again the same time limit as I fixed on previous occasions, namely that of twenty minutes. As there are so many honorable members who naturally desire to address the House on the question of the budget, I hope each one will try to be as brief as possible, not exceeding in any case the time limit of 20 minutes.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Sir, two years ago when I first entered the Council Chamber, I sounded a note of warning as to the calculations of the Development Scheme. Now, Government themselves have to admit that their expectations are not likely to be realised. The Honourable the Finance Member compares our situation with modern France and says that we are still better off. I would like to compare the situation that exists in Bombay to-day with that which existed in France in the pre-revolutionary days. The revolution took place, mainly because the financiers of France were not able to balance their budget for 16 years. We are also in the same position to-day because

[Mr J. C. Swaminayan]

of the frenzied and adventurous financial policy that overtook our Government six years ago. I may relate a story of Emperor Canute of England. His flatterers flattered him saying that the sea will obey his orders. King Canute said that the sea won't obey his orders and in order to curb his flatterers he took his seat near the sea. The waves of the sea were coming up and up, and the next wave would have drowned Emperor Canute and his flatterers, but the Emperor realised the situation and told his flatterers that they were merely flattering him. The same is the case here. Entrenched behind modern science, without entering into proper investigations Bombay Government took up a large scheme of reclaiming Back Bay, a scheme the like of which had not been taken up even by wealthy Governments, such as that of the United States of America. But the sea has not obeyed them. Now, what has been the consequence? The consequence has been that the finances of Government are ruined. I shall just point out how the rosy pictures, that were drawn in the beginning of getting a profit of 50 crores of rupees have now dwindled to a dead loss of 3 crores. In February 1921 Sir Chimanlal Setalvad said

I can assure the Council that when I come to move for the necessary grants for this Department, I propose to make a full statement to the Council as to the various items in this project. . . . Taking the estimated expenditure on it, the cost per square yard works out to about 10-15

' Now taking the present valuation of land in the City, on a very modest estimate, the result of the reclamation would be a profit of at least thirty crores of rupees to the city. It may be more, in all probability it will be more, and in certain circumstances it may even go to fifty crores "

At that time the honourable the General Member belonged to the opposition. He sounded a note of warning at that time and said that the investors who had burnt their fingers on the Cuffe Parade and the public would not come forward to purchase land. That was the opinion of the Honourable the General Member Mr Cowasji Jehangir of those days. (Hear, hear).

The Honourable Mr. COWASJI JEHANGIR. May I interrupt the honourable member for a minute for a personal explanation? The honourable member will find that the whole of my minute of dissent is quoted by the Minority Report. My evidence was given in 1913 that is when I was neither a member of Government nor in the opposition.

Mr. J. C. SWAMINARAYAN: It was said in 1921 that the Back Bay scheme would result in a profit of 50 crores and two years ago the Director of the Development Department said that we could realise a profit of more than 43 crores and in 1925 he said that there would be a profit of 2 crores. We now find that this scheme has resulted in a dead loss of 3 crores. What guarantee is there that this dead loss may not go on increasing? It is further stated that the complete stoppage of the scheme would result in a dead loss of 4 crores and 88 lakhs provided we could realise the amount which the sale of assets is expected to fetch, viz., 45 lakhs. It is very doubtful whether these assets are such as to be realised.



[Mr. T. C. SWAMIYAN:]

The Government of India had turned down such a scheme at that time and it required the ex-Governor Sir George Blandford to have Sir George Blandford to print a photograph of the scheme which has not been realised in practice. Thus Sir George Blandford, Sir George, the ex-Governor, Sir George Blandford, Sir George, the dodger which has failed miserably. Now there are two more. The first to stop the scheme altogether to stop the scheme and to see what the actual situation is. If there are no more, I will be satisfied by such a scheme let them come forward and make a plan. But it is not desirable to put the taxpayer to any further burden on the account. It is said that if we complete block No. 8 for the malaria, it will be able to realise some price from Government of India to reduce the cost. There is also the third proposal to continue block No. 1 and to block No. 1 and 2. They say that if this were done, the balance would be brought down to the neighbourhood of 1 crore. But it is far better that the expectation may not be realised. It is not desirable to make any calculation in these matters. The calculation depends upon the state of the land. If the land is not sold, what would be the consequences? The presidency would have to be a further loss on the account.

Now the total liability of the Development Department is estimated at 11 crores 38 lakhs of rupees. The honourable the Finance Member has pointed out that they have cut down their programme. The City schemes are brought down to 6½ crores, housing scheme to 3½ crores and the suburban development scheme has been reduced to 2½ crores. Thus the total expense is put down to 13 crores while the Development Department is indebted to the extent of 11 crores 38 lakhs. It is said in the speech of the honourable the Finance Member that the total expenditure on the Development Department is 13 crores. 11 crores 38 lakhs of this amount have been borrowed from Government of India and the Development Department is indebted to the Development Bank to the extent of 2 crores and 75 lakhs. The total expenditure is 13 crores while our debt to day is 11 38 crores. Thus the whole department works in a mysterious way. There is a proverb in Gujarati that the turban is bigger than the head. If you refer to page 214 of the Blue Book you will find that the expenditure on the Development Department is Rs 69 lakhs. For this amount of expenditure we are paying 85 lakhs as interest charges. The interest charges are heavier than the actual amount that we spend every year. The Honourable the Finance Member has said that our charges will be 88½ lakhs of rupees in the form of interest only in the development department. This is the condition in which we are placed.

What are the finances of the Government? We have in fact to pay in the form of interest 3 crores, 23 lakhs of rupees, that is to say, out of the total revenue we have to pay 20 per cent. in the form of interest. The argument may be advanced that out of this amount 91 lakhs are received from the local bodies, the Bombay Corporation, the Port Trust and the Improvement Trust. Still we have to pay every year an interest charge of 2 crores 30 lakhs. Looking to the way in which we are borrowing the result will be disastrous. When the Lloyd Barrage is completed twelve

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crores will also be added. This sum of 12 crores will surely increase the interest charges of the Presidency to three crores of rupees. Such would be the situation, if the estimates are not exceeded. Taking for granted that the Budget is completed within an expenditure of 18 crores of rupees and not a pie more, the Presidency will be paying at that time in the form of interest charges alone more than three crores of rupees. It is therefore, necessary to give a halt. When the question of raising the salaries of primary teachers is raised, the honourable the Finance Member says that there are 25,000 teachers and that even if we give them an increase of one rupee, it would mean Rs. 2,50,000 a year added to the provincial expenditure. Additional expense for primary teachers is refused on financial grounds. While on the other hand now 20 lakhs of rupees will have to be paid for 60 years in order to wipe off the dead loss of these three crores of rupees in development. That means that an annuity of 20 lakhs of rupees will have to be paid by the general taxpayer for these follies of Government. (Hear hear) Now four generations have been ruined. Sixty years is four generations and if you increase this loss, perhaps more than a century will be chastised. Of course, in that way we cannot prosper. It has been suggested that five lakhs of rupees should be spent for extension of the Council Hall in Poona, out of which two lakhs fifty thousand rupees are to be spent for the current year for the purpose of providing us with a Council Hall. We do not intend to fiddle like Nero while Rome is burning. We do not want to enjoy when finances are in wreck and ruin. We shall accommodate ourselves in the Hall in which we are sitting just now, and at least in that way these five lakhs will be saved. Instead of compelling us to ask Government to omit that item it is better if Government withdraws it themselves and in that way it is necessary to cut down expenditure in all the departments. There is only one point that I have to mention and it is that the Finance Secretary has said in his note that if the high prices of agricultural produce would continue Land Revenue may increase. It is dangerous to increase Land Revenue on this assumption because prices of agricultural produce are going down. Cotton has gone down by 10 per cent. A maund of cotton which fetched Rs. 25 two years ago has come down to Rs. 15. Price of cotton has gone down by 10 per cent. The prices of food-stuffs are also going down. So the fixing of Land Revenue on the assumption of high prices will ruin the cultivators.

The Honourable the PRESIDENT: Every honourable member is limited to 20 minutes. I cannot therefore allow the honourable member any more time.

Rao Sahab D. P. DESAI (Kaira District): Sir, I had thought that the Honourable the Finance Member on the eve of his departure for home would, at least, present us a presentable budget, but unfortunately as has been the custom in vogue for the last five years he has given us a very objectionable budget. He has committed all the blunders that he did during the last five previous years and the first blunder which he has committed is the blunder of giving us the copies very late. This

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budget was given to us only 10 days before we started for Bombay and during the 10 days a budget of such a nature could not be studied. I understand, Sir, from the vast experience that he has of this country he has some knowledge of other countries, and I take it for granted that he has the experience of the budgets of other countries, I ask him whether he can tell me that in any country a budget is presented only 14 days ahead. It is always supplied to honourable members, at least three months before it is presented to the House, and before it is formally moved, it goes to the Finance Committee, and the Finance Committee has power to make such alterations as they please, and in both the white and blue books, when they are presented to the House, the Committee's recommendations are embodied. They can alter and modify the proposals of Government and make new proposals of their own also; but our Finance Committee, as I pointed out some time back, was simply a *farce*. It was a mysterious body and no one knew what it was doing. Since then, of course, a small pamphlet is given to us every now and then stating therein the views of some members on certain items placed before them. Their views are placed not on all the items that come before the House but only on those items that are placed before them. The Finance Committee of this House should possess more power than what it has been enjoying now, and my request to the Honourable the Finance Member is that before he leaves this country it behoves him and that it is his incumbent duty to make such alterations in the procedure as regards the presentation of the budget to the Council and the discussion of that very budget by the Finance Committee. Coming to the matter that is uppermost in the minds of all the honourable members of this House, I must frankly say that during the past five years this reformed council has of its own accord rushed into a debt of about 25 crores of rupees, and out of this 25 crores of rupees, 17 crores is a dead loss to this Presidency. The Honourable the General Member appears to be disturbed at this remark of mine, but unfortunately it is so as the interest charges show.

Now Rs. 18 lakhs is the interest on the Bombay Development loan, that is the loan which you floated as being for Bombay, by Bombay, in Bombay, I mean the loan that you advertised with such high flowing words; our share of interest on that loan comes to about 18 lakhs of rupees annually. 67 lakhs of rupees is the annual interest on the Government of India loan and about 18½ lakhs is the annual charge on loans for other purposes, that is, for buildings, forests, etc. All this is unproductive expenditure. It comes to about a crore of rupees, and I have put it down that it is the interest on about 17 crores 73 lakhs of rupees. All this expenditure I would put down as unproductive, and honourable members will have to come to some sort of decision sooner or later in this matter. Perhaps the Honourable the General Member, to whom the whole of the Development Department has come home to brood, will object to this statement but I will explain to him. If he will look at Appendix A of the Development Budget, Blue Book, page 227, he will find that only 9 lakhs of rupees is the revenue of the Development

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Department from land sales. To be more accurate, Rs. 9,66,000 are put down as income from the sale of land, and about 6 lakhs from rents, and miscellaneous about 6 lakhs. This is the only real revenue we are asked to expect from his transactions. But even here I ask the Honourable the General Member—and here is my point, Sir, whether he has ever given the correct figures during the whole of the period since Development was started? In all budgets.....

The Honourable Mr. COWASJI JEHANGIR : Mr. President, I rise to a point of order. The honourable member has just stated : “ Has Government ever given the correct figures in the budget statement ” ?

Rao Saheb D. P. DESAI : Yes, Sir, I shall prove it.

The Honourable Mr. COWASJI JEHANGIR : He means to say that we have always given wrong figures.

The Honourable the PRESIDENT : It is not a point of order.

The Honourable Mr. COWASJI JEHANGIR : He insinuates, Sir, that we have given wrong figures in the budget.

The Honourable the PRESIDENT : He says the figures given are incorrect. “ Incorrect ” is not unparliamentary. I understand that he is going to prove his statement. I do not see it is a point of order. I take it that the honourable member does not wish to attribute motives to Government that they have deliberately falsified the accounts.

Rao Saheb D. P. DESAI : I never attribute any motives to Government, Sir, (laughter). If my honourable friend, the General Member, looks at the figures from the years 1921-22 onwards, he will find that the Government have intentionally and purposely omitted to give in the Development Budget the accounts, the actuals of the previous year. Everywhere they have only given the revised figures for the current year and estimates of the revenue of the next year. Yes, it was never given. Even in the present budget you will never find actuals for 1924-25. In 1921-22 we were asked to expect a revenue of 42 lakhs of rupees; but unfortunately we realised only 20 lakhs, and the same thing, that is, more than 50 per cent. less “ actuals ” have been realised from the Development ventures. So, we need not rely on their figures and we should have no confidence in what is presented by the Development Department in order to glorify their own department.

Now, coming again to the Honourable the Finance Member, Sir, I was pained to learn that he while quoting the Honourable Mr. Cadell, who quoted the figures for the last ten years for some nation-building departments, did not quote other figures for the same period; out of justice, he should have quoted other figures for the same period for the other departments also. I should also have thought that he should have quoted the figures since this reformed Council came into existence, and, then he would have found that the reserved departments were more responsible for the expenditure from the increased revenue that this very House has given the Government. This very House, that is,

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the reformed Council, gave to Government about 2 crores of rupees more. And out of these 2 crores, what do we find? Only 30 lakhs more are given for education, and whenever any taxation proposals come up before this House, it was always given out by the opposite benches that it was meant for nation building departments. Again about 2 crores from ordinary revenues was provided when we came here as members of this reformed Council, for the Public Works Department. But now what do we find? We find that in the neighbourhood of only 1 crore is spent from ordinary revenues and about a crore is spent from loan fund. So, this one crore which my honourable friend opposite gives to the reserved departments is, like the extra revenue from excise is swallowed by the reserved Departments. And if the Honourable the Finance Member closely scrutinizes the figures that he has himself placed before this House, he will find that the transferred departments poor creatures as they are (Laughter)—are not at all responsible for the increased expenditure or rather the extravagance of the Government. I would put the whole blame on the reserved departments in that connection. The retired leader, Mr. Jayakar, brought this fact to the notice of Government in one of the previous discussions of the budget. And what has happened? Since then, Government arranged these matters in the Blue Book in such a manner that no division of figures at the end was made between transferred and reserved; no separate totals of figures were given. Now, that is not the courtesy that this House expects from the opposite benches. The moment a remark is made from these benches regarding certain figures, they should not be presented in a form by which this House would be misled.

The Honourable Sir HENRY LAWRENCE : May I ask the honourable member to explain, Sir? I do not know what this charge of discourtesy refers to. I should like to know.

Rao Sahab D. P. DESAI : The late leader (Mr. Jayakar) once remarked that while the expenditure on the reserved side was in the neighbourhood of 7 crores of rupees, the expenditure on the transferred was about 5 crores, and when he proved it to you from the separate figures that were given for the transferred and the reserved departments, since that very year, in all the future budgets, that is, the last two budgets, Government have ceased giving separate figures or rather their totals for transferred and reserved departments.

This House did expect as a piece of ordinary courtesy from the Government that they would not have jumbled down the figures in this fashion.

Mr. G. WILES : I should like this to be proved, Sir, if the honourable member can. In this budget, for the first time, every demand, Transferred and Reserved, is shown absolutely separately. This is the first occasion on which it has been done. There has been no other change in the schedule of demands whatever in the last two years.

Rao Sahab D. P. DESAI : I would ask the Honourable the Finance Member to kindly refer to the Schedule of Demands on page 24 of the budget and compare it with the Schedule of Demands of the previous

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budget, and then say whether he finds any difference or not. I am sorry that Government should needlessly enter into this question ; it is after all a minor matter, and it is not of much importance.

However, my chief regret is that the head of the Presidency should be misled by this Government.

MOULVI RAFIUDDIN AHMAD : How.

Rao Saheb D. P. DESAI : It is quite apparent from his speeches. He is asked to give a glowing account of the condition of the Presidency. He is asked by Government to do so, and in his speech we find the statement that the Agricultural Department has made such improvements in Khandesh that crops worth Rs. 40 an acre have been at once by a magic wand turned into crops worth Rs. 100 an acre. Can the Honourable Minister for Agriculture tell me whether in groundnuts a man ever earned Rs. 80 to Rs. 100 an acre. However well he may have worked, however zealously he may have ploughed, can he show me that groundnuts to the extent of Rs. 80 or Rs. 100 an acre can be realised from one acre ?

The Honourable the PRESIDENT : The honourable member has only three minutes more.

Rao Saheb D. P. DESAI : The Honourable the Finance Member has stated that the State generally takes a distant view of things, and, in fact, we were given a distant view both as regards the Development Department and as regards the Sukkur Barrage, and the horizon was painted with all the vermillions, crimsons and such other colours for six long years, but the volcanoes that gave colour to that horizon are now extinct, and I see neither imagination nor any good suggestion from the opposite benches which would clear the ashes and the mud that have been brought about by their own activities. And I again say, Sir, that whatever they may say, it is quite certain that the financial forecasts of both the Development Department and the Sukkur Barrage were formulated in order to please this House and the Secretary of State. You can never realise such a huge sum as Rs. 12½ crores from the new land to be brought under cultivation by the Sukkur Barrage project. My honourable friends from Sind themselves will say that the increase of assessment on the right bank area will not be well received by the cultivators in that province. The cultivators would feel that already they had practically a good supply of water by irrigation, but for an assured supply of water they are not going to pay double the rates. Now, only on these grounds the whole project of Sukkur Barrage should be viewed, and if a failure attends that project, then I do not think this Presidency will ever come out of the financial tangle. With these remarks I resume my seat.

Mr. D. B. ADWANI (Karachi City) : Mr. President, while listening to the Members of Government, it has often occurred to me that the Government of Bombay have perfected the art of advertising their own work, and whenever I have listened to the Honourable the Finance Member I have been confirmed in this belief. Sir, it always reminds me of the

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the full knowledge that they are not really first class but who pretends about their excellence so persistently that he finally comes to believe in their being genuine and of the very best quality ; and that is the case with the Bombay Government.

It was in this spirit of self-praise and self-advertisement that the Honourable the Finance Member, not so long ago, it was only two years back, stated that the Bombay Development schemes were the glorious work of the Bombay Government and that in a short time the British Government would be prepared to send their representatives in order to make a report as to the nationalisation of land and of converting ocean sand into veritable gold. The facts, however, are that throughout the whole scheme of development, we find nothing but inefficiency on the part of the Bombay Government. Even in 1920, as we find from the majority report of the committee, when the Development Directorate started work, they found out that the estimates of work had to be doubled, they amounted to some seven hundred and two lakhs of rupees. And if those estimates had to be worked up to, it was necessary that the programme of the sales of land should be spread over a period of 11 years, and the land should fetch an average of Rs. 55 per square yard. Now, I would ask the Honourable the Finance Member if he would be prepared to tell us that the Bombay Government really thought that they would be able to dispose of two lakhs square yards per year, at the rate of Rs. 55 per square yard. The reply would certainly be in the negative.

From the Development Department, I come to the Lloyd Barrage, which I think is on the same footing with the Development Department, because we find that in the case of the Lloyd Barrage, even at the present moment, we have to pay interest to the extent of Rs. 31 lakhs, and out of this interest Rs. 10 lakhs are to be drawn from the Famine Reserve Fund and Rs. 21 lakhs from capital. In the same manner, the interest charges on the Development Department are Rs. 85 lakhs and odd. Out of this, the earning of the department is only Rs. 16 lakhs or Rs. 17 lakhs, taking their own figures to be correct, which I doubt very much, because I do not believe that we will realize the sum of nine lakhs and odd from the sales of land as shown in the statement. This leaves Rs. 68 lakhs, which is a clear dead loss to the taxpayer every year. In plain language, it means that the Development Department entails a loss upon the taxpayer of no less than Rs. 68 lakhs of rupees every year. How long this is to continue cannot be said. Apparently for a very long time. Out of these 68 lakhs the sum of 20 lakhs is to be paid from the proceeds of the cotton cess ; and 20 lakhs are to be paid from the ordinary revenue of the presidency as a sinking fund and interest on the loan which is estimated at three crores of rupees ; and the balance of 28 lakhs from capital. This is the procedure that has been adopted of paying interest from capital in the case of both the Development Department and the Lloyd Barrage and Canals Department. This is contrary to the principle enunciated in the definition of productive works in article 283 of the Public Works Department Code. That article lays down that

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in order that a work might be classed as a productive work it is necessary that :—

There must be good reason to believe that the revenue derived from it will, within 10 years after the probable date of its completion, repay the annual interest on the capital expended at a rate calculated at 5 per cent; but in preparing the project for sanction no deduction is to be made from the total capital outlay on account of anticipated excess of revenue over simple interest.

I wish to emphasise the word simple interest. If a certain amount of interest is paid out of the capital, it would mean that in future years we will have to pay interest on that portion of the capital; in other words we will have to pay compound interest and the capital will therefore go on mounting up rapidly. This, as I said, is contrary to the principle enunciated in the article of the Public Works Department Code to which I referred just now. In my opinion the method adopted in paying interest on the Development Department as well as on the Lloyd Barrage and Canals is contrary to the principles followed in such cases in the Public Works Department. It is a dangerous procedure and the result will be that in course of time, it will lead to the increase of the capital cost to such an extent that the projects will not be able to bear the interest charges, and will thus impose a great burden upon the general taxpayers. That being the case how can the Honourable the Finance Member ask the public to have confidence in Government with regard to their capital commitments?

Throughout the whole of his speech the Honourable the Finance Member has presented a very rosy picture of the case. We are told that railways have been introduced. We have however never found any such provision in the budgets of this presidency. Apparently he desires to take credit for work which has been done by the Government of India. Then again, we are reminded in this the 20th century, that this Government is responsible for roads, for bridges and communications—such big and wonderful things, indeed the ninth wonder of the world! We are also told that the condition of the ryots has improved. It is indeed excellent; and they are rolling in wealth, they have more money than they can spend.

This is what the Honourable the Finance Member wants us to believe. What is the other side of the picture? The other side of the picture is that the Government of Bombay have failed to perform some of the most elementary duties of modern governments. What are those duties? In the first place Government do not know the economic condition of the people whose destinies they control. They do not know whether there has been any increase in the earning power of the people and if so whether it is in proportion to the high standard of living that has been necessitated by contact with the outside world. The Bombay Government does not know the extent of unemployment in the presidency. Several questions have been asked by honourable members on this subject at different times. What has been the reply of Government? The reply is that the Labour Department is making preliminary investigations. At a time when most of the civilised governments of the world know the actual state of



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unemployment in their countries so much so that they report on being published and they are doing their very best to tackle the problem at such a time the Government of Bombay tell us that the Labour Department is making preliminary investigation.

Then again the Government of Bombay do not take account of the taxable capacity of the people. In this connection a comparison was made by the Honourable the Finance Member (then) of taxation in the United Kingdom and Australia. But in making this comparison he omitted to take note of the earning power of the people in the United Kingdom and Australia and in India. While the earning capacity per head of the population in India is £2 to £3 according to different estimates that of the people in the United Kingdom is more than £50 that is more than 12 times according to the higher estimate and that of the people of Australia £34 that is more than 13 times that of the people of India. Under such circumstances the mere comparison of the incidence of taxation in India with that of other countries without reference to their earning capacity, is nothing but an misrepresentation. If we compare the incidence of taxation in this presidency with that in the other sister presidencies in India what do we find? In Madras the incidence of taxation per head is less than Rs. 1 in Bengal it is only Rs. 2 14 0; whereas in Bombay it is Rs. 7 to 8 which is nearly double that of Madras and four times that of Bengal. These facts speak so eloquently for themselves that no adjective is required to describe the state of things which they reveal.

Then in very high sounding language the Honourable the Finance Member told us that the increase in expenditure on the nation-building departments has been very great in comparison with the other departments. The facts are that the nation-building department had been starved for long, and the gap was and is still so large that no amount of provision was too great for these departments. But taking these departments together, namely, Education, Public Health, Medical and Agriculture, we do not find any mention about industry; it perhaps forms a small part of the Educational Department, and is so unimportant in the eyes of the Honourable the Finance Member and of the Bombay Government that they have not made separate mention of it, the total expenditure on these departments is only 20 to 22 per cent. of the whole revenue of this province. This in my opinion is disgracefully insufficient. As a matter of fact while the expenditure on departments like General Administration has increased to an unnecessary extent, the expenditure on such beneficent nation-building departments has not increased to the extent that it ought to have. For while an increase in expenditure on the nation-building departments goes to increase the vitality of the people and to improve their state, such an increase in say the General Administration Department goes only to fill the pockets of a few highly paid officials.

In this connection the Honourable the Finance Member wants us also to believe that there is no indication that satisfactory primary teachers cannot be obtained on the present scale of salaries, which means that

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no case exists for the salaries of primary teachers being increased. It may be that these poor teachers are serving on their present salaries because of want of employment; but can the Honourable the Finance Member say that Rs. 25 or 30 a month is a sufficient living wage for a respectable schoolmaster?

Another similar implication is with regard to the Excise Department. In this connection the Honourable the Finance Member tells us that the present policy is favourable to Government. Whereas in former years the profits of this department used to go into the pockets of a few contractors, under the present circumstances, the profits go into the pockets of Government. And he obviously wants to imply thereby, that we should give up the rationing policy. I think that this is also a misleading implication. No case can be made out for the cancellation of the rationing policy. On the contrary a clear case exists for prohibition. As to the auctioning policy of Government, I think it is highly mischievous. Whereas the poor man who is addicted to it gets a much weaker quality of liquor than before, he has to pay very much more, and the contractor does not get more than what he got before. It is the poor man who pays more money which goes to fill the coffers of Government.

In conclusion, Sir, I desire to say that the whole structure of the financial policy of this Government requires overhauling. At present the land revenue system throws a crushing burden upon the poor cultivator. It takes away from him 40 or 50 per cent. of the nett produce of the soil. As to the rest, the Government of Bombay lives on the vices of the poor. It lives on excise, it lives on the betting propensities of the people; and it lives on litigation, because even the department for the administration of justice is a paying department. Government do not think that it is sufficiently paying, and therefore, the Honourable the Finance Member wants us to pass an enhanced schedule of court-fees. I think, Sir, that even the present court-fees are too heavy a tax on the poor litigant; and it would be tantamount to denying justice if this Council were to pass any additional taxation on these lines.

Then again, we were asked to suggest any reductions in the expenditure of the main spending departments. I have a suggestion to make, and that is that the Public Works Department, which is now nothing short of a public waste department, spends too much on its establishment. I have calculated the total cost of the establishment, and I have found that for every three rupees that the Government of Bombay spend on their works they are spending one rupee on establishment. Even in regard to the Lloyd Barrage and Canals, which I know is not charged to revenue but to capital, the expenditure on establishment is on the same footing. These are some of the directions in which a saving can be made.

Lastly, Sir, speaking of the deficit, I wish to point out that the Honourable Member the Financial Secretary has made a good suggestion in his memorandum, namely that since the famine fund has grown to

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large proportions, it is no longer necessary to lay by such a large sum as 53 lakhs every year for the Famine Insurance Fund. I think we can safely reduce that amount with the permission of the Government of India if such permission is required, and thereby obviate the necessity of fresh taxation. With these few remarks, I shall resume my seat.

Mr. S. S. DEV (West Khandesh District): Sir, this is the sixth year of the reformed councils and the third and the last of the present Council, and so far as I am concerned it is the very last. I come from a district which has got only one seat—a constituency of 17,000 voters gets only one seat—whereas my friends in East Khandesh with a list of 25,000 voters, instead of getting in proportion one and a half, get not even two but three seats. And further the one seat which West Khandesh has is reserved every sixth year. So, next year, although my constituency would be willing to return me, Government do not want me to be here, they want a non-Brahman. My purpose in saying all this is that as this is my last year, I propose to be a little more frank with Government. Five years of reformed councils have rolled by and people naturally ask us, what are their representatives doing for them in the Council and how is their lot going to be improved? What shall we tell them? Shall we tell them, on the authority of the Honourable the Finance Member that the G. I. P. Railway and the B. B. & C. I. Railway are feeding the city of Bombay and all foreign countries, taking away all the raw materials from this country and bringing them back manufactured articles from foreign countries? What are we doing for the people? What have the reformed Councils during the last five years done for the 80 per cent. of the people? Will it satisfy them if I tell them that the Government propose to fill the Back Bay—the whole of the sea—not with mud or anything, but actually with crores and crores of rupees? Sir, When I consider the colossal failure of the Back Bay Reclamation Scheme it really makes an humble man like myself giddy. I shudder to think what might be the mental agony of the Honourable the General Member with regard to the failure, although he may look apparently happy. The Honourable the Finance Member has referred in his speech to bankruptcies and suicides in Germany. I pray God that there be no bankruptcies and suicides here: mere resignations will satisfy the House. I was telling you, Sir, that five years of reformed Councils have not benefited the people. Shall we tell the people that as a result of these reformed Councils the character of their housing, clothing and food has improved? In spite of the rickety houses they dwell in, the tattered clothes they wear, and the hardly half meal they eat, shall we tell them that they must feel happy because no less a person than the Honourable the Finance Member tells them that they are much better off than they were before, and that the character of their food and housing and clothing has much improved? We may tell them all these things and many more. But they retort by saying that these reformed councils have brought on increased taxation. They say even the postal cards which cost quarter of an anna before, cost them now half an anna—cent, per cent. increase. They complain that similarly all taxes and fines and fees have doubled during the last

Taxation is their measure of the success or failure. It is no matter to them that instead of three, seven members constitute the Government, and that instead of seven members sit in this Council representing them. If your measure, it is immaterial to them whether 111 members or one thousand one hundred and eleven occupy the thing that concerns them is the taxation. I may inform the House that I have practically a mandate from my vote against any bills for more taxation. The ground year by year for the levy of fresh taxation. I can see the objects. Sir, you might remember that when we entered 1924, we were told we were new recruits in the art of budgeting. I believe time has now come for us to be turned out and re-equipped in that art. These three years have shown that I have to introduce any new taxation bill, the budget must be a deficit budget. It cannot be otherwise. You must find a fiction to move a taxation measure, if your balances must be made to be a deficit budget. The Honourable Member calls it an art of presenting the budget. It is an art. Look at the figures of the budget estimates and the figures of the current year. In nine cases out of ten you will find that the estimates are higher than the revised estimates. Why? Does it not show that Government put the figures in the estimates higher than necessary? How else do revised estimates come out of the budgetted estimates? Then again the budget for the next year must be shown and as a matter of fact are lower than the revised estimates of the previous, that is, the previous year. This is an art. To induce Honourable Members to vote for it, it must be a deficit budget.

What we have observed is, that whenever Government introduce financial bills they will always say that more money is required for education, for public health, for sanitation, for roads, and for anything except the fat salaries of high officers, who get ten lakhs a year. They will not even remotely say that more money is required to meet the recommendations of the Lee Commission. At all times they refer to them they speak of them as one

But even this one anna in a rupee is a great burden.

The third thing which I hesitate to say, but which I must say in order to induce honourable members to vote for the budget, is that I must most unscrupulously tell any amount of lies. I shall now quote an instance. Last year this time it was declared

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 Sir HENRY LAWRENCE: I did not quite catch what the honourable member said. I believe the honourable member told an unscrupulous lie.

The PRESIDENT: The word "lies" is unparliamentary. The honourable member must withdraw it.

Mr. S. S. DEV : I withdraw it. I will put it in another language if I can.

The Honourable the PRESIDENT : Put it in parliamentary language.

Mr. S. S. DEV : I will illustrate it without defining what it is and leave it to the honourable House to judge for themselves. It was most solemnly declared in this House this time last year that increase of resources in land revenue had been withheld temporarily by the will of the House. It was said that revisions had been suspended temporarily by the will of the House. But revisions went on in spite of this. Asked what it meant, we were asked to mark the word "temporarily" ? Is there any honourable member in this House who then understood that revisions were suspended only during the time the budget session lasted ? The word "temporarily" had no reference to the will of the Finance Member or of the Government. Revisions were withheld, we were told, temporarily by the will of the House. And what was the will of the house ? The will of the House had been expressed by the resolution about assessment committee, that the Committee should suggest a form of legislation to bring the process of revisions under closer regulation and that no revisions be proceeded with and no new rates be introduced till the said legislation was enacted. That was the will of the House. It was most unequivocal. Yet we are most light-heartedly told that "temporarily by the will of the House" meant only during that session. How is the house disposed to characterise this conduct of the Government ? And yet we are said to be gay and light-hearted critics of Government and they are serious and responsible administrators. Therefore I may be bold to say that in order to induce honourable members to vote for taxation such things have been said in this council. The only remedy so far as I can see, Sir, is not therefore taxation but merciless retrenchment. The honourable the Finance Secretary has said in his memorandum that the effects of the retrenchment committee of 1922 have lasted only for 3 years. The time has now come to appoint another retrenchment committee. And for an example how to retrench we need not go to Australia or Japan or France or Germany. We have an example near at hand. You know, Sir, what happened in Portuguese India—at Goa—only a fortnight ago. Finding the condition of finances in Portuguese India deplorable, the Governor General submitted to the Lisbon Government a scheme of reforms, in which the first item that he put was the reduction of his own pay. He even offered to resign and the people of Goa supported him. The *Times of India* congratulated the people of Goa for their bold and courageous stand by the Governor General. The honourable the Finance Member wants us to co-operate. Here is an opportunity. We on our side are willing to co-operate with Government if they propose such a scheme and cut down their own salaries from the top to the bottom. That will be an occasion for the *Times of India* to congratulate the people of this Presidency and the Government of this province for the bold and courageous step—a step which Government have long delayed in taking. I therefore hope Government will come forward with such schemes of retrenchment. We shall support them in such schemes and not in their taxation bills.

*(After recess.)*

Mr. A. N. SURVE (Bombay City, North): Mr. President, we have had the budget presented to us yesterday with a speech about which I shall speak later on; but the point which has struck me most is that I have read that consistency is a defect for it indicates that the mind has ceased to develop. Sir, I have had very striking instance of that statement during the course of the past five years. When we started in 1921 the honourable occupants of benches opposite told us that the presidency owns assets of the value of 65 crores in the bridges, buildings, public roads. The second statement made was that the present generation owed no duty to the future generation and we were to live up to our incomes. At that time it was suggested that we were to incur debt and make the future generations bear its burdens, as we incurred it for developing the presidency. But, Sir, the budget presented to us yesterday shows us something quite different. We are now told that it is our duty, that it is the duty of the Government to take long view and to work for the welfare of future generations. We must now starve ourselves. We must pay interest charges out of the revenues on loans which we recklessly borrowed and we must not raise a word in protest. We must bear all that burden silently. Then, Sir, it was only about two years ago that we were told that our presidency depends largely on the favourable or unfavourable character of the monsoon. It is always very precarious and therefore if we have no balance of several crores, we will be in a very perilous condition. So we were led to believe that these balances were as a sort of reserve to obtain interest from Government of India. But what are we finding now? We are finding that our balances, which were at one time represented to us as mere reserves to meet famines, are being drawn upon, for what purposes? To pay interest charges, to avoid debts, and what is more dangerous is that they are even utilised for capital expenditure on Sukkur barrage about the ultimate success of which many to-day entertain doubts. So, Sir, you will see how inconsistent these positions are but in order to escape the charge of "Arrested Development" not of the Back Bay Reclamation but of the mind we need not fear inconsistencies. That is the lesson which we can draw from the budget of this year. Sir, this reminiscent attitude has also brought to my mind the parting advice given to us by our last Finance Member. He advised at the time he presented his last budget that we should "Increase our revenue and economise our expenditure". That is the formula he gave us, and the present Finance Member is also very generous and he has also given his parting advice; but what is his parting advice? Keep up credit, starve yourselves, live in hopes, blindly sanction new taxation, so that Government may spend according to their own ideas and that you may not have any opportunity of expressing your opinion. Another point of advice is "If you cannot do this, you must revise your excise policy". Well, perhaps the retention of the spirit, whether country or foreign, might help us to take "Dutch courage" to follow the advice that the Honourable the Finance Member has been condescending to give us.

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Coming to the speech itself, I must say that it is a strange mixture of minimising real and present danger and hoping that everything will be all right only if we subject ourselves to fresh taxation. Sir, the next point of which we must take due note is that the Honourable the Finance Member has been very kind enough in showering very complimentary epithets upon us. May I just repeat a few of them for the benefit of the benches on this side? What are we called? We are called *gay and lighthearted critics*. Surely, we are *gay* and, surely, we are *lighthearted*. We are *pessimistic*. We have *apprehensions* about the future. Sir, if we see that our house is burning, is it not our duty to say that the house is burning? Shall we say that the house is not on fire, let us better stay inside? Then again, we are *scaremongers*. Really, after the second *ad interim* report on the Back Bay Reclamation, if we are called *scaremongers*, I leave it to this House to judge whether that epithet is appropriate. We are *spreaders of rumours of disaster*! Sir, I need not add further to the list. Our Indian culture prohibits us from returning or retaliating abuses if they are given to us.

Now, Sir, coming to the speech itself, the Honourable the Finance Member tries to show us that the danger in which we are standing at present is nothing, because we have passed through greater calamities than the present one, and he has quoted several instances. He has quoted the share mania of 1860, the visitation of plague and the successive famine periods. Now, Sir, is there no distinction between calamities of that kind and the calamity in which we are situated at present? The ones through which we passed were visitations of Providence and the present one is brought upon ourselves by our own mistakes. Therefore, is there anything common between these two kinds of calamities? Then, Sir, in his attempt to minimise dangers he has indulged in his speech in several exaggerations. He tells us that raising balances from 2 crores to 5½ crores is no mean achievement. I concede to him that it is no mean achievement. But may I ask him if that was achieved when everything was going on as it should be in the ordinary course, or whether this achievement was the result of extra taxation, of the pinching of people and of making people suffer inconveniences which Government had no right to inflict upon them?

Then, the second point of exaggeration is that he refers to the different operations of Government. He says that through Government efforts arrangements were made to provide work for almost all people whose crops have failed in recent years. He refers, I believe, to the irrigation and the Back Bay Reclamation works. I quite admit that many people were engaged there. But was it famine relief at all? Sir, the money that is thrown in the Back Bay Reclamation is not work of the nature of a famine relief, and really Government should not take any credit for employing people there. The essential difference is that when you engage people on famine relief, you give them only doles or famine wages. In the Back Bay Reclamation the wages were certainly not at the famine rates.

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Now, the third point is, he says "we have vast projects of the value of 60 crores—30 crores for the Presidency and 30 crores for Bombay City Development. Of the 30 crores which were required for the latter we have now curtailed the programme to about 13 crores". May I just ask him what has brought this change in the attitude, what has brought about this curtailment? Is it that all the obligations which Government have undertaken are fully met? I surely think that the Government have failed, Government have not brought into existence the "Greater Bombay", of which very glowing pictures were held forth for our admiration in this Council. Sir, may I enquire if Government have been able to carry out their industrial housing scheme of 50,000 tenements, and is the suburban development completely carried out? At one time I remember that I had uttered a warning that the Government were carrying on their schemes regardless of the miseries that they were inflicting upon the people.

Now, let us look to what has actually happened. The lands which were notified and acquired, are to be resold, but may I inquire if the reselling will reinstate the holder, who was turned out of his holding. I am afraid, not. They are expropriated, they are driven away from their holdings. Perhaps, some of them may be fortunate in getting back their lands, but not at the price which they received when their land was acquired. But with regard to those who cannot repurchase their lands, what of them? Kindly consider the misery that has been the result of all these wild schemes. Next point is about the appropriation of provincial revenue for the liquidation of interest charges. Such procedure is resulting in the retardation of progress of the Presidency. If these wild cat schemes had not been undertaken, and if we had our present revenue, how much more money we could have had for our nation-building departments, and how rapid would have been our progress in all directions? With better progress, could we not have achieved greater capacity to pay all the burdens which Government call upon us to shoulder? Therefore, the real point is not whether the scheme is curtailed; the point is how much loss the presidency has suffered in its progress. Look at all your undertakings in that light.

Now, coming to our difference with the Government of India on several items, I think that the Bombay Government is giving up our case.

The Honourable the PRESIDENT: The honourable member has got only three minutes more.

Mr. A. N. SURVE: Well, Sir, as the time at my disposal is very short, I shall not mention other points which I wanted to. I will only say this, that if I have criticised the present Finance Member, I must say that I have criticised the official and not the person. Of course, for the person of the present Finance Member I have the highest respect and admiration.

Mr. K. F. NARIMAN (Bombay City, South): Sir, last year, when discussing this important subject, I made a complaint before this honourable House that all the documents that ought to be before the non-official members had not been placed before them at the proper time.



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This year again we have to make a similar complaint. The Honourable the Finance Member in his speech said that the House is already in possession of much valuable material on which to base their consideration of the budget proposals. I may ask the benches on the other side, where is the Auditor General's report for the last year? What has the Accountant General to say on your figures? And, Sir, what is much more important, where are the proceedings of the Finance Committee? This honourable House has appointed a Finance Committee from out of its members, in order to have a sort of scrutiny of the official figures. We expect, before we begin to discuss this budget as prepared by the officials, that we ought to have the necessary material before us, in order to be able to judge whether the official figures are right or wrong. The Finance Committee has been reduced to a farce by the manner in which their proceedings have been withheld from us. The Finance Committee is supposed to scrutinise the figures prepared by the officials, it is supposed to meet at least a month or two before the Budget is prepared and its recommendations and corrections are to be embodied in the Budget. But what do we find? Two days before we meet to discuss the budget, after both the Blue Book and the White Book are ready, the Finance Committee meets to discuss the financial situation. I say, Sir, deliberately that the Finance Committee, which is the only committee appointed by this House, which is in the position of the Standing Committee of the Corporation, which is expected to do financial work on behalf of the non-official side of the House, has been reduced to a farce by the manner in which it has been treated by the officials, and the proceedings of the Finance Committee are absolutely useless for the purposes of this discussion, because we have not got even a copy of the proceedings.

The Honourable the Finance Member has stated that this is his fifth or sixth budget. I know very well, although I was not in this House at the time, that the first budget which he presented was a miserable failure and disappointment. We all expected that the Honourable the Finance Member would gain by experience, and each successive budget which he would present would be a better production than the past one, but we are disappointed to find that his last production is the worst of all, and this is the monument which he is going to leave behind for the citizens of Bombay to be remembered by them—the budget for the year 1926-27. I say that it is the worst production of all the five or six years' efforts, and with the greater experience which he has gained he has become worse in the preparation of the budget. What is he leaving for the citizens of Bombay in the last year of his service? It is not only a deficit of Rs. 60 lakhs or Rs. 70 lakhs, but a proposal of new taxation. We had greatly expected that at least in his last budget he would have left something which might have been remembered for some time after he has gone, but then he has left a burden of additional taxation by which he will be remembered by the future generations of the city.

Now, Sir, naturally enough, the Honourable the Finance Member is very optimistic about the financial situation in this Presidency. It

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is our experience that Honourable Members on the verge of retirement are always very optimistic. It is natural that they should be optimistic. We, on the contrary, are very pessimistic, because we know that next year about this time, the financial condition of this presidency, the additional taxation, the additional loan, will not be any concern of the Finance Member in his own country. Why should he concern himself next year as to what is going to happen to the finances of this Presidency? Whether there is going to be additional taxation, whether there is going to be a deficit or a surplus, it will be no concern of his at all. His financial interest in the next year's budget will be as to the extent of the amount in which he himself is interested, that is his own pension. Beyond that, his interest is absolutely nil, so far as the financial condition of this Presidency is concerned. Therefore, naturally, he is optimistic. But we who have got to deal with the finances and who have got to bear the brunt for years to come, we who live in the city and the Presidency, it is but natural that from the state of affairs that the Blue Book and the White Book and the other papers which are not before the House disclose, it is but natural, I say, that we should not have the same optimistic view of this "bright" picture that is placed before us. Unfortunately for the Honourable the Finance Member, about the same time that we are sitting here to discuss the budget of this Presidency, in another province of India a similar document is being considered and discussed—I mean in the province of Bengal, and the short time that is left at my disposal for discussing this important subject I will devote to comparing and contrasting the two budgets which are, unfortunately for the Honourable the Finance Member of this Government, presented almost simultaneously and are considered side by side by the whole country. And what is the result of that comparison?

We find, Sir, and it is an admitted fact that the province of Bengal is larger than the Presidency of Bombay. In point of population, it is admitted that the population of Bengal is greater than that of Bombay. In every other respect the province of Bengal is as important as, if not more important than, the province of Bombay. And yet, from the facts and figures disclosed in their budget, we find that they are able to manage the affairs of that province within the figure of Rs. 10 crores. That has been their figure for some time past, and they have not raised it. Within Rs. 10 crores they have been managing their affairs, and nobody can say that the affairs of this Presidency are managed better than the affairs of any other Presidency in India.

So far as the condition of the people is concerned, it is the same all over the country. It is bound to be so long as the administrative policy continues to be the same. Therefore I say that in addition to that we have got to consider the important circumstances. The incidence of taxation in Bengal is much lower than in this presidency. It comes to about two to three rupees per head, whereas in Bombay, according to the figures of the Honourable the Finance Member, it is Rs. 7 per head of the population. If you look to the loans in Bengal it does not go beyond three to four crores, whereas our loan figure is almost as large as

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the total figure of loans for all the provinces put together. What is the financial state of affairs in the presidency? If Bengal is able to manage its affairs as efficiently, or as inefficiently as you may put it, within 10 crores without such large loans, without any extra taxation, how is it that this presidency with an additional income of 5 crores and a loan running up to 40 crores is not able to manage its affairs and leaves a deficit of 60 lakhs? What could it be due to? (An honourable member: Development.) I reserve the attack on the Honourable the General Member until the subject comes up for discussion. I am now dealing with the general discussion of the budget. What could that be attributed to? I have taken for comparison two similar provinces. I am referring to one province because the two budgets came simultaneously. I attribute it to one reason—"inefficiency". I stated on the last occasion and I repeat it to-day. The more we study the figures and the more we study the budgets year after year, the more we feel convinced that so far as the financial affairs are concerned this Government is incompetent to manage it. I admit at the same time that this Government is quite competent to deal with certain departments; and in dealing with those departments we will not be able to compete with them. For instance the department of law and order. I am quite prepared to confess that Government are much better than non-official benches in the management of this particular department. We do not know several matters such as how to suppress a legitimate agitation and by what devices the struggle of a struggling nation can be put down. In these matters Government are far superior to non-official benches. But the true test of an efficient administration is not the means it adopts to put down political agitation. The real test is the manner in which they manage their financial affairs. If they fail in that test then they fail in the ordinary test required for efficient administration. If you want to improve the financial condition of this presidency, then there is only one way to do it. Transfer this portfolio to a competent Indian who will take into consideration the economic condition of the people and put the situation right from a popular point of view. Transfer this portfolio to a competent Indian for three years and give him full discretion and I assure this House that the situation will decidedly improve. Without giving an opportunity to us to manage our own affairs you taunt us by saying that we are unable to manage our own affairs. Give us the opportunity and we will show our fitness. I mention this over again. Place this department in the hands of a competent Indian, give him full discretionary power and after three years you will find that there is really no more deficits and no more taxation and the financial situation will certainly be improved, which will add greatly of the happiness of the people.

Next, I wish to draw the attention of the Honourable the Finance Member to one or two matters. Particularly I wish to refer to the levy of the cotton cess which has been included in this year's budget. You all know the history of this levy. It is a levy imposed for suburban development and for construction of chawls for the poor working classes.

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That has been the origin and history of this levy, which brings in an income of 20 lakhs. Now, Sir, it is admitted by the department that so far as the activities with regard to suburban development and construction of chawls they are not to continue any longer. If these activities are not to continue what is the justification for continuing this levy when the purpose for which it was originally imposed has ceased to exist. Section 195 (b) of the Municipal Act under which it is levied says :

"(1) On the tenth day of each month the Commissioner shall pay to Government or to an officer designated by Government for this purpose 4/7ths of the gross revenue derived from such duty during the preceding calendar month after deducting the cost of collection of such proportion of such revenue.

(2) Of the moneys received under sub-section (1) a sum of four lakhs of rupees shall be allotted yearly to schemes of improvement and development in the Bombay Suburban Revenue Division as the same may be constituted on the 1st day of December 1920; the balance shall be allotted to the provision of tenements for the working classes in the City of Bombay, as constituted on the 1st day of October 1920."

Therefore it is clear that the Government are not justified in continuing that levy while the purpose for which it was imposed has ceased to exist.

As I said it is not possible to discuss fully the budget within the short space of 20 minutes. I am most interested in the Development Department and I do not want to touch that subject now and I reserve my remarks for later stage when the subject will come up for discussion. As regards nation-building departments they are actually being starved. It is unseemly that there should be a struggle between the corporation and the Government with regard to the primary education grant, while the head of the administration is appealing for funds in connection with the hospital scheme, when such important departments like Medical Relief and Education are being starved, expert bunglers waste crores of rupees on the Development Department, which will stand as a monument of the inefficiency of British administration. I am not going to refer to it now until the subject comes up for discussion. With these remarks I resume my seat.

Mr. V. R. KOTHARI (Sholapur District) : Sir, we have been having budgets of increased expenditure without proportionate progress for the last several years and especially after the recommendations put forward by the Retrenchment Committee in 1922-23. The expenditure has been enormously going up without a proportionate progress in any important direction. Since the introduction of the reforms, Government have not been able to show any marked progress side by side with the new taxation. I am sure that the non-official benches would not have criticised Government so strongly as they have done to-day if Government had been able to show progress side by side with new taxation proposals. Take for instance, the department of Excise, in regard to which public opinion has been so strong and so unanimous. Although Government appointed a committee about three or four years back, and although the report of the committee has been two years before them, they have not carried out any of the recommendations of the committee. On the contrary, when the resolution of the honourable member Mr. Saptarshi was discussed last year in Poona, the Excise Minister raised so many

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difficulties about accepting the amended resolution that the goal should be reached within 20 years. Sir, we are all aware that the Excise Committee proposed that the goal should be reached in ten years and that they made some specific suggestions as to the way in which it could be brought about. Although at the time that the resolution was moved the Honourable the then Excise Minister, Sir Chunilal Mehta, said that the Government did not care for the revenue—he said that he would be the first man to accept prohibition as the goal, and that revenue was of no consideration, still we find to-day the argument trotted out that unless we find the money we cannot carry out prohibition. Of course I agree that money must be found. But it is the duty of the Government to put forward taxation proposals, and then if the House defeats those proposals Government can say that the House does not want prohibition. Instead of doing that, they bring forward only one part of the programme—taxation proposals—and leave out the policy of prohibition.

So also in regard to education. A committee was appointed by the late Minister, and that committee recommended that universal compulsion should be reached within ten years. Now, about three years have passed by since the passing of the Act—the Act was passed in the beginning of 1923. And what has Government done during the three years to reach the goal of universal compulsion? We know that during these years very little has been done. So also, in regard to the starting of schools on a voluntary basis. There are about 15,000 villages in this presidency which have no schools, and it was recommended that most of these villages should have schools within the space of ten years. So during these three years they ought to have started 3,000 or 4,000 schools. But I am sure Government will not be able to show that they have started 300 or 400. That is the progress that we have been able to make during the Reforms.

I do not wish to refer to other departments, because they can be discussed in their own time. But I wish to say a word about the Development Department. There also Government have started schemes and are pushing them through against the wish of the people. Now we know that the fiasco in which the affair has ended. Instead of doing anything in the matter of meeting the wishes of the people, Government have been proposing fresh taxation. Then comes the Honourable the Finance Member saying that prohibition is impossible in this province. That is what he actually says. He says that there will be more illicit distillation, and that the Excise Commissioner reports that illicit distillation is on the increase. Perhaps in his judgment, his opinion is more valuable than the opinion of the Excise Committee which unanimously decided that prohibition was possible. He thinks that his knowledge is greater than the knowledge of the whole Government which appointed that committee. With such boldness in assertions, it is no use expecting anything from him. When the Honourable the Finance Member assumes so much it is no wonder that the honourable member the Finance Secretary should assume still further wisdom. For example, he reminds the House in his memorandum that unless the non-official benches show a greater sense of responsibility the reserved departments will never be

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handed over to them. That is what he has practically stated in his note. I do not know what he means thereby. So far as I can see, it means that we won't get further political rights unless we sanction the taxation proposals before us. Perhaps he thought that the pronouncements made by the Secretary of State and the Viceroy were not explicit enough and that the country expected a clear and definite lead from him! I congratulate the British Cabinet and the Parliament in having found in Mr. Wiles such an able exponent of their policy.

Then, Sir, I must repeat the contention I made last year, that there is invidious distinction made between European and Indian Members of the Executive Council. Though the Honourable Mr. Cowasji Jehangir has assured us that there is no such distinction, we know that there are certain departments which are not entrusted to Indian Members of the Executive Council. Take for instance, the departments of law and order. When Sir Maurice Hayward came here in 1921, he was given these departments, though there were other Indian Members of the Executive Council who were senior to him. He rose from the lowest rung of the ladder to the top, but not once was he allowed to leave these departments to any Indian Member! Now, he goes and there comes a fresh man, junior to the two Indian Members of the Executive Council, and still he is entrusted with the departments of law and order. I think that the time has come when these departments should be entrusted to an Indian. What is the aim of the reforms? It is to train Indians in responsibility and administration. We all say that the Bombay presidency is the most advanced presidency in the country. But there are other provinces in which Indians have been found fit to administer these departments—I mean the Central Provinces which is considered a backward province, and the United Provinces. But in this most advanced province, Government are unable to find any capable Indian who can be entrusted with this work. Of course, it is rumoured that the Honourable Sir Chunilal Mehta is going to be given the Finance Department soon. But what about the Home Membership? What about the important departments of law and order? I do not think that Government can now say that they cannot find competent Indians. The Honourable Sir Chunilal Mehta has been in the Government for five years, and recently he has had the advantage of being in England. He has therefore got the qualification of being an England-returned man. I think the non-official benches will agree with me that he should be given the departments of law and order, and that the Honourable Mr. Cowasji Jehangir should be given the department of finance, especially after his exploits in the Development Department.

There is one more remark I wish to make, taking advantage of this opportunity of general discussion. That relates to the way in which Government have been using their powers of nomination. Of course, I wish to make my position clear. I do not wish to attribute any motives to any honourable member of the House, but I still wish to point out that formerly we used to see Government nominating members like Rao Bahadur Sathe and Mr. Kanji Dwarkadas and others who voted independently, but at present.....

The Honourable the PRESIDENT: Order, order. I should like to point out to the honourable member that nominations to this Council are made by His Excellency the Governor in his personal capacity. These nominations are not made by Government, and His Excellency's action is not open to criticism, in this House.

Mr. V. R. KOTHARI: Then, I do not wish to say anything more.

Mr. R. G. PRADHAN (Nasik District): Sir, I wish to begin with a preliminary observation. The preliminary observation which I wish to make is that though the Honourable the Finance Member has received hard knocks from the members of this Council and I dare say will continue to receive such knocks during the next 10 days or so, honourable members of this Council cannot but feel some measure of regret that this is the last budget that he has presented and that he will soon be leaving the Council and this Presidency. I confess I feel considerable admiration for the very clever ability—if I may say so—which the Honourable the Finance Member has uniformly displayed in presenting the budget and in presenting the case for Government.

The present budget as it has been submitted to the Council has had I confess a very discouraging and depressing effect on me and my first impulse was not to take any part in the discussion of the budget and had it not been for the fact that my silence would probably be misconstrued (Honourable Members: No, No) though not by the honourable members of this Council but by the people whom I have the pleasure to represent, I would have preferred to remain silent. However I want to place before Government my views as I have been able to decide them from such study as I have been able to make of the general financial position of this Presidency. I am glad to find, Sir, in the speech of the Honourable the Finance Member that this year at any rate he has recognised that elementary principle that questions of finance are inter-dependent on questions of policy. To this aspect of the matter I wish to address myself and the one lesson, the one broad fact, which strikes me and which I wish to submit for the consideration of Government and this honourable house is this, that it is impossible to improve the financial position of this Presidency unless there is a radical change in the general constitutional and administrative policy of the Government. (Hear, hear.) I have tried to approach the question of the financial position of this Presidency from a constructive point of view, namely, from the point of view of how to develop the resources of this Presidency so that we may be in a position to satisfy the growing needs of this Presidency and the conviction has been borne in upon me that it is impossible to develop the financial resources of this Presidency until we advance constitutionally, unless further constitutional advance is made immediately and unless very important changes are made in the administrative policy of the Government. What, Sir, is the financial position to-day? The position is this and it has been very clearly pointed out by the honourable the Finance Secretary that to-day we stand exactly where we were 5 years ago. Absolutely very little progress

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has been made either in the financial development of this Presidency or in the general improvement of the various branches of administration. The Honourable the Finance Member says that that situation can be met only in one way and that is by raising taxation, by the Council sanctioning further measures of taxation. While the Honourable the Finance Member and the Government consider that this is necessary, there is general and very keen reluctance on the part of the people and the Council to go in for fresh proposals of taxation. One reason is that we fear that even if we sanction fresh proposals of taxation whatever money is obtained thereby will be spent not on the object for which the money is obtained. That is one reason which makes the people reluctant to go in for additional proposals of taxation. The other reason is that we have not got the power of the purse; at any rate we have not got full power of the purse and in accordance with that first principle of taxation, namely that representatives of the people cannot agree to taxation unless they have free control of the purse, we naturally feel that we should not agree to any such proposals of taxation that might be brought forward. These are some of the reasons which make—and which rightly make—the representatives of the people to oppose any measures of taxation that may be submitted to the Council. I ask the Honourable the Finance Member and the Government whether this does not raise the question of constitutional reform. Does not this cover questions of administrative policy? I venture to say with all the emphasis that I can command that if Government does not look at the matter from these points of view, Government will be simply tinkering with the financial problem. You may bring forward this proposal or some other proposal. You may ask the Council to sanction some changes of a minor character. All these things will not improve the financial position of this Presidency. And unless questions of policy are settled satisfactorily, the financial position, of this Presidency, even 10 years hence, will continue to be the same as it is to-day. Sir, I wish to make some constructive proposals with regard to the development of the financial position. And one I have already mentioned that unless questions of constitutional reform and administrative reform are solved, it is hopeless to expect any substantial improvement in the financial position. What are these administrative changes which I advocate? Well, one change I advocate is that the pace of Indianisation of the service must be much more rapid than it is at present; the services should be more and more quickly Indianized. And then the question of general reduction of the salaries of all officers must be reconsidered and must be readjusted with reference to the existing prices and the general ability of the people to bear taxation. And if this radical reform, which I suggest, is made then there is likelihood of some improvement in the finances. Then, Sir, the Honourable the Finance Member and the Government very often ask us to go in for proposals of taxation. Sir, His Excellency the Governor in his speech, I should think, showed a wiser and a better prospective than the Honourable the Finance Member has done. He recognised the fact that after



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all the people of this Presidency are more taxed than the people in all other Presidencies. Well the conclusion which I reach is that you must raise the capacity of the people to bear additional taxation and the capacity of the people to bear additional taxation can only be raised by increasing production and production is stimulated by irrigation. It is the only way namely by increasing production only can the material development by which you can raise the capacity of the people to bear additional taxation. That is the one of the points which I made the attention of the Government. Well Sir I shall refer to the questions of the Development Department in which I shall conclude my speech. I don't wish to spend much on the subject to which thus far I have come with regard to that department. It is possible to put a revenue scheme on that subject but it appears to me Sir that the conclusion which has been made by Sir Buchanan is reasonable. I think Sir that it would not be fair to all those who are connected with agriculture for this Development Department as Sir Buchanan without consulting him. I mention emphatically that the investigation which has been made by the period Committee is defective and it is reasonable to this extent that an opportunity was not given to Sir Buchanan to state what he has got to say on the matter. Honorable Member of the House are aware that the subject being discussed in the Press and on the platform and the responsible members Sir D M Petia and members Mr. Mehta whose opinions ought to carry weight with the Government have expressed the view that a thorough and independent investigation into the matter is absolutely necessary. I put it to the Government are they going to float the various expressions of opinion—expressions of opinion not by platform orator or by professional agitators but by men who are responsible men who understand what they speak about and whose opinion therefore ought to carry great weight with the Government. In the connection may I make a suggestion and it is this that His Excellency the Governor should convene a sort of a Round Table Conference (he is here) representative of the important interests in this city and representatives also of this Council. And after discussing frankly and freely the whole plan in that Round Table Conference, a decision should be arrived at as to what should be done in the future and that decision Government ought to accept. If that is not done and in spite of that Government come forward and ask us to sanction this part of the scheme and that part of the scheme, we shall flatly tell Government that we refuse to do so. With those words, Sir, I conclude my speech.

MR R G SOMAN (Satara District) : Sir, so far as the budget presented to us by the Honourable the Finance Member is concerned, we find from the note appended to it by the honourable member the Finance Secretary that the balances which are at the disposal of the Bombay Government amount to something like 3 crores and 51 lakhs, and out of this, 1 crore and 89 lakhs are to be spent for some purpose or other by Government. One crore and 8 lakhs are to be lent to the Sukkur Barrage and the total balance remaining in the hands of the

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Bombay Government is at the figure 1 crore and 9 lakhs. So far as this balance is concerned if we add to it one crore and three lakhs, we find that it comes to exactly 2 crore and 62 lakhs which is much more than the balance which is to be kept by the Bombay Government in its hands for special purposes in case of need. The proportion for such balance is settled to be something like 15 per cent. If we take the figure of the 15 per cent as compared to the total of revenues, it would come to something like 2 crores and 25 lakhs. That huge balance in the hands of Government is much above this necessary balance that is required by the instructions. I do not know whether there is any statutory provision in reference to the reservation of a balance. This balance of 15 per cent is generally kept by Government in its hands. Taking into account the loans that are to be advanced from the Provincial Revenue to Sukkur Barrage and some other project, the Honourable the Finance Member says that the present budget is a deficit budget to the extent of 60 lakh.

Now if we were to take the budget as a deficit budget and if we were to find out the motives which the Government may have in view in showing it as a deficit budget, there is ample evidence of it in the speech of the Honourable the Finance Member. He has been speaking to this House for the last four or five years, and if we were to study his speeches, we will find that he wants to show fresh taxation on this Presidency year after year. We find that during the last three or four years we have passed the entertainment tax, betting tax, and the cotton cess and the Stamp Law. The main taxes actually levied during the last five years. Out of these two main taxes on the rural population—the stamp bill and cotton cess. The Court fees Bill had been withdrawn last year and till it is being tried to be introduced this year. So at every budget some fresh taxation is being resorted to. And what is the amount that is expected to be realised from this taxation? So far as the taxation in force is concerned, the cotton cess, the betting tax and the entertainment tax, the three together go to nearly 15 lakhs or so, and the stamp bill, when it was first introduced, was expected to bring something like 60 lakhs, as the Honourable the Finance Member says. But what is the effect of the Stamp Act or the increases in the schedule of the Stamp Act? The effect is that they have been able to keep up the revenues of the Presidency during the last four or five years, according to what he says. If we take that into account then, according to him, since the year 1922 all the years have been clearly deficit years. Unless these taxes were there, there would not have been any surplus which the Bombay Government have shown for the last five years. In another breath he says the balances have increased from 2 crores to nearly 5 crores. Two crores and odd is the increase in the balances. So, can we really think that the budget of the Bombay Government is a deficit budget? I submit that in no sense the present budget can be called a deficit budget. But the Bombay Government is trying to show it as a deficit budget and at the same time putting forth fresh taxation as a burden on the people of this Presidency.

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So far as regards the general aspect of this budget. Now, looking to the several departments which the Finance Member has discussed in his speech, we find that he has first touched the land revenue, and he says that the agriculturist has been the better during the last five years. He says that his house, his food, his clothing have improved, and his general standard of comfort has increased. If that is so, then the agriculturist can very well be taxed; that seems to be his view while depicting the agriculturist in these words. Now, what is the manner of taxing the people of this Presidency? Let us compare the figures of the revenue derived from the rural population and the urban population of this presidency which is available to the Bombay Government. The income-tax receipts are not at all available to the Bombay Government, though that is a tax levied from the urban population. It goes into the pockets of the India Government and the Bombay Government is not at all benefited thereby. If we were to compare the income derived from the rural population and the income derived from the urban population, we would find that there are three departments which are the main feeding departments of this Government, namely, land revenue, the excise and stamps. These are the departments that supply the money to Government out of the pockets of the rural population. When that is so, we must at the same time consider as to what return the Bombay Government gives to the rural population for this income which it derives from the rural population. I have prepared from the figures of 1923-24 a rough estimate of the income derived from the rural population and the expenditure incurred for the rural population in the main departments which affect the rural population. I have to submit that nearly 7 or 8 rupees per head is the income derived out of the population of this presidency, and the departments that chiefly supply the funds are the land revenue, the excise and stamps, as I have said just now. In these departments the annual expenditure which the Bombay Government has to incur is as follows: Expenditure under land revenue nearly 1-0-0 per head for the rural population; then under excise the expenditure is Re. 0-3-6 per head, and under stamps the expenditure is nearly Re. 0-1-0 per head. If we deduct this expenditure from the income derived from these departments, then certainly there remains in the hands of the Government a surplus of Rs. 4-4-0 per head from the rural population, while in regard to other departments, such as education, industries, and so forth though the whole benefit of these does not go to the rural population, the net loss to Government over the income is something like Rs. 3-9-0 per head of the rural population. If we actually find out the gains from the rural population and the losses on account of the rural population, the result is that the Government is a gainer nearly to the extent of Re. 0-12-0 or Rs. 1-0-0 per head of the rural population. Is this the treatment to be accorded to the rural population? Now look at the expenditure of Government. There is the Development Department that colossal failure spoken of by so many honourable members who have just spoken. Leave aside that Development Department. Then, what does the Government do with regard to the agriculturist? The Honourable the Finance Member

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has stated that the agriculturist has improved on account of the irrigation and industrial enterprises entered into by private agencies as well as by Government. What is the manner of supplying irrigation to agriculture? We find actually that very large projects are never proved to be productive, as is shown by my honourable friend the honourable member Mr. Adwani by reading the definition of the productive works. These large irrigation works never pay the Government in any way. Besides what is even the method of managing these major works? So far as these irrigation works are concerned during the last five years, I find that there is all over the country a cry of shortage of water on account of the failure of the rains, and still we find that the acreage under irrigation is being shown as having increased. How is this department managed? I am speaking only from my experience in my own district. I find there are some minor irrigation works and some major irrigation works. The water from the Krishna canal is distributed to the several bagayatdars only allowing one or two waterings to the agriculturist and the rates levied are for the whole season. Why is it so? Thus increased acreage is shown as under irrigation. Still the Honourable the Finance Member says that the irrigation development of the Bombay Government has improved the condition of the agriculturist. The agriculturist has to pay the whole of the season's rates and he gets only one or two waterings. Last year praises were showered by this side of the House on the Honourable the Revenue Member, Sir Chunilal Mehta, for having inaugurated a policy of famine relief and 53 lakhs of rupees were voted for this purpose by this House. What is the result? The result is that only 10 lakhs have been spent and 43 lakhs have lapsed to the revenues of this year from famine relief! Why is it? If the Honourable the Revenue Member had with great tenacity obtained from the Finance Department a grant of 53 lakhs, why is it that 43 lakhs should lapse to this year's revenue? Why were they not spent on the purposes for which they were intended? These purposes were the improvement of the minor irrigation works, the supply of drinking water and so on. The minor irrigation works are not supplied with money. I do not know who is to blame in this matter—whether the sum voted was not actually allotted by the Finance Department, or whether the Honourable the Revenue Member is himself to blame in the matter for not having taken proper care for utilising the whole of the amount voted by this House. But, anyhow, the promised grant for the agriculturists has not been utilised for its proper purposes, and this year we find that only Rs. 11 lakhs are sanctioned for the purpose. So, anyhow, those praises showered upon the Honourable the Revenue Member go to the winds. Last year Rs. 10 lakhs were spent, and this year only Rs. 11 lakhs have been provided in the budget as being allowed for famine relief. I submit that unless minor irrigation works are looked after, unless facilities for getting water from minor irrigation works are improved, the agriculturist in the Deccan will not be benefited. The Honourable the Finance Member has the fairness to admit that the Deccan is a tract which is liable to famine frequently. If that is so, how is it tried to be improved? Only by the Nira canal project and the

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Blotghun dam? What is the use of the big project to the small cultivator all over the Deccan? Some of the big water in Deccan may benefit by the Project and the Small project. They may benefit the cultivators who have land under the project. But what is the condition of the other cultivator? I don't think it is allowed by this House to the Honourable the Revenue Member and not have been allowed to lapse to next year's revenue.

One more thing occurs to me. In the year 1914, so far as the Central Division was concerned, I put a question to Government about them to supply us with the figure of the payments to the peasant tiller and the expenses incurred for payment to the old kulkarnis in the year 1912. I find from the reply that in the year 1912 the amount paid over the kulkarnis was something like Rs. 5 lakhs and odd and the peasant tillers got something like Rs. 9 lakhs and odd in the Central Division. If the old kulkarni system were to be introduced, then of course there would be a saving of about Rs. 4 lakhs so far as the Central Division is concerned, and if the old kulkarni system were to be reintroduced throughout the Presidency in place where it was in vogue formerly, there would be a saving of something like Rs. 10 lakhs to Rs. 15 lakhs. But the Government in their reply even to question, which is not to day, do not want to commit themselves to the consideration of the question at an early date. What would be the loss to Government by restoring the watan of the poor old kulkarni who were willing to work on the small remuneration that they got? If any better to be repaid of them for doing better work, by all means lay down that test but do not resume their watan simply because that class is not regarded favourably by somebody in this country. I submit that this is one of the channels by which the Bombay Government can spare its revenue to the extent of Rs. 15 lakhs by reintroducing this kulkarni watan system.

The Honourable Mr. B. V. JADHAV : To restore it only in the Central Division?

Mr. R. G. SOMAN : I want it to be restored in places where it was in force formerly. In the Central Division the saving comes to Rs. 3 lakhs or Rs. 4 lakhs, that is the reply of Government.

The Honourable the PRESIDENT : The honourable member has three minutes more.

Mr. R. G. SOMAN : One of the departments which the Honourable the Finance Member has referred to in his speech is the Excise Department. We find that in his last year's budget speech, the Honourable the Finance Member has stated in clear terms that cheap foreign liquor has not taken the place of the reduced quantity of country liquor consumed. But this year, when they want to bring forward proposals for fresh taxation, when there is a cry for total prohibition, and when a fresh committee is appointed to investigate the question, the Honourable the Finance Member forgets what he said in his speech last year. This year he brings forward the Excise Commissioner as the gentleman who is making very,

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very serious complaints that cheap foreign liquors are taking the place of country liquor in illicit distillation, increasing. If it all prohibition is to be brought about I submit that the appointment of committees from time to time and postponing the period of bringing about prohibition would be of no use. Day by day the excise revenue is being increased, and day by day Government find an opportunity to bring forward excuses of finance on the question of prohibition. I submit that the Executive tendence is to be more liberally treated. As soon as the policy of prohibition is announced by a statute by Government, I am quite sure that the mind of the House will vote for fresh taxation to take the place of the Excise revenue.

Now there are three taxation proposals before us as disclosed by the Honourable the Finance Member's speech. I wish to submit that this part of the House should not at all vote for my fresh taxation because we find from our experience during the last five years that the Government have been piling up their balances at the cost of the public by imposing fresh taxation. They have thus increased their balances to the extent of nearly Rs. 21 crores. So no fresh taxation should be supported by this side of the House. I submit that the Government must find their own way to adjust their balance in the best possible manner.

It was stated that the Development Department was a department intended for the purpose of taking care of the poor people that work in the mill. But the main aim was one of the objects of that department. But the result of the working of the department is that a sum of Rs. 20 lakhs has fallen on the whole Presidency, i.e. the amount to be paid to the Development Department.

Rao Bahadur S. J. KAMDE (Dhule District). Sir, the speech of the Honourable the Finance Member at the time of the introduction of the budget was indeed one which befit his vast experience and his profound knowledge of the constitution of the Presidency. He gave us to understand that the pessimism prevalent in some quarters would surely be dispelled, and that it would unambiguously be replaced by optimism in the course of the discussion of the budget in the next few days. Sir, I do admire the highly persuasive tone and the excellently sober and rhetorical language which he used at the time of the presentation of the budget, but I beg to submit that I do not agree with him in his case for new taxation. This Presidency has built up a reserve balance of an amount which is more than was thought to be necessary. At the time of the previous budgets we were told that a balance of Rs. 1 crore or so was necessary in the interest of this Presidency, to meet any emergency that may befall this Presidency on account of the vagaries of the monsoon. By convention this amount was fixed at a certain figure, and this figure has not only been reached but has been exceeded, and I expected that, with a balance of more than double of this conventionally fixed amount of balance, the Honourable the Finance Member would come to this House with a budget which contained proposals for reducing taxation. On the contrary, however, the Honourable the Finance Member has

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presented us with a budget with a deficit, and has added to the problem in his proposal for new taxation. There he has increased the amount of nearly from Rs. 60 lakhs to Rs. 70 lakhs in the new budget for 1925-26. In the circumstances when we have not a balance of more than the required amount I do not dissent, so far as it is necessary to be met in our drawing upon the balance to meet this limit. I do not mean to say that we should draw upon our balance every year, but we should live upon the balance. That is not the case which I mention. In so far as Government have kept a reserve balance here more than is necessary for emergency I think there is no dissent in any more that excess amount from the reserve balance to meet the present year's deficit. If Government merely said that they had no other financial resource then I beg to submit that the Government probably divert their energy and efforts in other directions. The Hon. Mr. the Finance Member and the honourable member the Secretary to the Finance Department have stated "I have met the situation or be prepared for the curtailment of the service to which the Government is accustomed." Sir, that is not an accurate statement of our situation. I submit that instead of having recourse to fresh taxation the Bombay Government should press the Government of India to remit the annual contribution to it. We have done all we could in the matter of taxation. It is an admitted fact that the full taxable capacity of the people of this Presidency has been reached and that the incidence of taxation in this Presidency is much more than in any other province in India. It only behoves this Government to approach the Government of India and request them to remit the annual contribution of Rs. 60 lakhs. Secondly, with regard to the income tax and super tax I beg to submit that the vast industries of this Presidency have been built up by the patient foresight and efforts of the people of this Presidency and of the Government. It does not stand to reason that the fruits of this vast patient labour should entirely be taken away by the Government of India. Not only one third of the income-tax and super tax is supplied by this Presidency alone while its liability should not exceed  $\frac{1}{8}$ th of the whole revenue from income tax. Therefore our due and legitimate share of this income tax ought to be the difference between this  $\frac{1}{3}$  and this  $\frac{1}{8}$ . I think it is high time that the Government of India should be pressed and urged to pay to this Presidency the difference between one third and one eighth which will greatly ease the financial situation of this Presidency. Under the present altered circumstances of the finances of the Government of India I think the Government of India will yield to our request. If Government succeeds in getting the remission of the annual contribution and in getting its due share in the income and super taxes, I think our financial position is bound to be quite safe. Then and then only the nation building departments will be in a position to carry on their activities in an energetic manner and will not be half starved as at present.

Sir, on this occasion I would voice an important grievance of cultivators in my district of Dharwar, from which I come. Their grievance is

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 that the present date and months for collection of land revenue are not convenient to them and that the sale time should be postponed by a month or so. There is one strong ground for this demand that the time when the land revenue is collected should be altered. In the dry crop part of the district the land revenue assessment is collected in March and April. That is not the time for marketing the produce of the agriculturists. At that time cultivators are obliged to go to the nearest sowar to borrow money to pay the Government a assessment. It is well known when once a cultivator gets into the clutches of the sowar it is not possible to extricate him easily from them. If the time is altered and postponed a little further say to May of every year Government will be conferring a great boon on the agriculturists and they will at the same time not be put to any great inconvenience. I do admit that there will be some inconvenience for one financial year in the matter of forecast of revenue. But I submit that the advantages that will be conferred on the agriculturists will far outweigh the inconvenience that will be caused to Government for one single year.

Then Sir K. started by mentioning for the establishment of a medical school. In the last session an honourable friend representing the Belgaum district made a motion for the establishment of a medical school at Belgaum. The Honourable Minister in his reply stated that there was not sufficient clinical material in Belgaum and that some other place like Hubli would be more suitable. I think it is high time that the Government settled their policy and fixed the place for where they propose to remove the grievances of the people of Kamata. Hubli is the best place for the establishment of a medical school and I hope that Honourable Minister will see his way to remove this existing grievance of Kamata by establishing a medical school in any place in Kamata for ameliorating the condition of the suffering people there.

There is another subject to which I want to allude on the present occasion. The question of constructing a bridge over Bannulla close to Navalgund in the Bidar district is hanging fire for a long time. The construction of a bridge over it will cost about two or three lakhs of rupees. The people of that taluka are actually cut off from the nearest market on account of the undrained lands. On account of floods especially during monsoon the water causing great inconvenience practically cutting off all intercourse between Navalgund and the nearest market, where the cultivators go to market their produce. I appeal to the Honourable Minister in charge to remove this grievance and spend a few lakhs of rupees for the construction of a bridge which will confer untold blessings on the people of that taluka.

I have to voice the grievances of certain local bodies with regard to the activities of the department of Public Health. I know that this department is sending every year one or two of its officers to visit the various parts of the presidency. What they do is to visit casually certain municipal areas and without knowledge of the local conditions to make



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certain suggestions or recommendations. I do not complain about their making any recommendation or suggestion. But what I do complain against is that their recommendations and suggestions are often dictatorial. They say that if you do not carry out those recommendations, your grants will be cut off.

Well, I ask the Honourable Minister in charge of this department to say whether it is right and advisable for any department of Government to deal with self-governing institutions in such dictatorial or resentful manner. I hope this conduct of the department will be carefully watched and such resentful and dictatorial tone and conduct will be discouraged.

The Honourable Sir GHULAM HUSSAIN : What is that department ?

Rao Bahadur S. T. KAMBLI : Public Health Department. I hope such dictatorial tone will be stopped and it will not recur again.

Sir, with regard to the city survey department, I have to make a few observations. The cost of the survey has been borne by the municipalities and is to be borne by the municipalities. But I see a certain inclination in these survey officers to help Government in all matters pertaining to ownership of vacant plots. In my municipality—the Hubli municipality—there has recently been a city survey. I have found, on an inspection of the results of the survey, though the survey was undertaken in the interests of the municipality, so many plots which were previously regarded as owned by the municipality have been merged into Government property. Even beds of tanks—statutorily municipal property—have been converted into Government property. And the result is that the local Government officers give away such plots to persons who approach them on rent or otherwise. I appeal to the Honourable Minister in charge of this department to check this tendency of the Survey Department.

The Honourable Sir GHULAM HUSSAIN : It is the Revenue Department.

Rao Bahadur S. T. KAMBLI : Whether it is the Revenue Department or any other department of the Government of Bombay, there must be some Member in charge of it, and I appeal to the Honourable Member in charge of that department to see that this sort of error does not recur. When a representation is made to the survey department, we are told to go and appeal to the Collector, and when an appeal is made to the Collector, it takes a long time to be settled. In the meantime, the surveyed plots are disposed of, and serious inconvenience results. The result of there being two governing bodies in the same place can easily be imagined than described. So, I hope that Government will see that this survey department will not be made to think that they are under an obligation to convert every possible plot into Government plot when they are engaged to make a survey of the municipal areas.

Sir, in the matter of irrigation policy of Government, I wish to make a few suggestions. There have been great irrigation schemes surveyed and undertaken for the Deccan and Sind, but I am told that whatever

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schemes in Karnatak were surveyed in the past are gradually going to be abandoned. The recent Press Note, which I read with surprise, states that the Daddi or Ghataprabha scheme for which a survey was made, estimates prepared, and so far as my information goes, even the sanction of the Secretary of State was obtained, has been abandoned on the ground—to me it appears on the flimsy ground—that it will not be a paying proposition. I beg to submit that if irrigation works are to be taken in hand in order to avert the horrors of famine, the question of a return on the capital should not be taken into consideration very seriously. These or such irrigation works not only go to relieve the agriculturists from the horrors of famine, but also they serve to add to the wealth of this presidency. I, therefore, beg to submit that Government should revise their opinion and take in hand and not abandon such schemes as are meant to be defences against famine even though they are not highly profitable concerns. In the Karnatak there are no new irrigation works. Even if this Daddi or Ghataprabha irrigation work is going to be abandoned, I fail to see why new schemes should not be surveyed, examined and undertaken for the benefit of the Karnatak.

The Honourable the PRESIDENT: The honourable member has only three minutes more.

Rao Bahadur S. T. KAMBLI: I am coming to the end of my speech, Sir. I hope the Honourable Member in charge of Irrigation will spend a little portion of his valuable time in devising schemes to provide the Karnatak with irrigation works, and see that some money is spent in providing irrigation works for the benefit of Karnatak—that unfortunate division of this presidency which has been crying loudly from a long, long time for irrigation works to serve as a defence against ever-recurring famines.

Dr. K. E. DADACHANJI (Bombay City, South): Mr. President, the budget as presented to us unfortunately closes with a very large deficit of 60 lakhs of rupees. This is the largest deficit during the quinquennium. You will remember, Sir, that with strenuous and special efforts we effected retrenchment in all directions and raised our balances from 193 lakhs to 430 lakhs. Last year, Sir, our balance was 99 lakhs, but on page 36 of the Budget (Statement A) we find that in the revised estimate this has all disappeared *in toto*, and there is a deficit of 5 lakhs. That is to say, Sir, it will be 104 lakhs more than the last year in 1926-27, it will be 159 lakhs. It will appear from the budget that we are living upon our balances. We are trenching upon our balances. Sir, it is highly ruinous to live upon our balances. We must make both ends meet: there should be equilibrium between revenue and expenditure. Mr. President, I do not know why in this budget we do not stick to the old established policy of maintaining a 15 per cent. reserve balance.

Sir, coming to the Famine Fund, there, too, we do not put the requisite sum of 63 lakhs every year. We must put aside that sum till we reach 150 lakhs, and we can then reduce the same.

Looking to the various sides of revenue, land revenue, stamps, etc., you will find that on a detailed comparison there is a deficit of 25 lakhs

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under land revenue and various other small deficit in other items. This has all to be made up from different head of account, especially and mainly from scheduled tax. You will see Sir that there is only a little over 2 per cent of increase on the revenue side but on the expenditure side there is an increase of 16 per cent. So this requires careful consideration.

If you go into the details you will find that all the revenue expenditure is absorbed by Civil Administration. Therefore the cost of the administration of our finance requires more careful consideration.

In the excise revenue we find that a comparison with the current year we are budgeting for the next year 7 lakhs less. That is a genuine drop. There seems to be a falling off in every direction which should be made good from some other direction. The only means to compare to reduce expenditure. But we have done that. The other means is to levy extra taxation but the whole presidency raises a hue and cry over any extra taxation, and in certain cases rightly so. What is required is that we should ask the Government of India to ease up a good share of the income tax.

If this is done I do think we will be preserving the equilibrium of revenue and expenditure of the city. Under the head borrowing you will see various sums allotted to various local bodies such as the Improvement Trust, Bombay City Municipality Port Trust etc. As regards the municipality, the municipality has budgeted for 100 lakhs as loan from Government, while in this budget we find it is only 70 lakhs in their budget recently passed. I do not know whether the municipality will have to go to the open market for the balance of 30 lakhs. Then, Sir, as regards Development Department which is being discussed and which will be discussed here *ad nasum* I do not want to speak more about it. One thing I must say concerning the Bombay Municipality and that is about industrial housing. If you refer to page 258 of the blue book you will see that no more than 11 lakhs' reduction from rents are budgeted for. Rents are falling off. There are vacancies and mostly they say that these chawls remain untenanted. You will remember that according to Sections 195B and 195C of the Municipal Act all these chawls will be the property of the Bombay Municipality about 1st of April 1936 or after. With these huge liabilities of loss and debts, how can the Bombay Municipality shoulder this burden if these chawls remain untenanted? They say that they have cut down the programme for the construction of chawls. There is not the slightest doubt of it and there is no active demand for it. A hue and cry was raised that there was no sufficient housing accommodation in Bombay which is not really so. We have spent money in many directions and now we are tired of spending. The one thing that I want specially to bring to the notice is as regards the industrial housing. If the loss goes on increasing, then it will be very difficult for the Bombay Municipality to undertake this huge responsibility. With these few words I will resume my seat.

Mr N R GUNJALI (Pooné District) (Addressed the House in Marathi) Mr President, before commenting on the Budget Estimate, I should like to observe that the Honorable the Finance Member had consulted representative institutions like local boards and municipalities in its preparation and that it should have been placed before the Council in addition to the Council. The Honourable the Finance Member does not follow in this regard. The principle which is in the budget is that it has been prepared by the Government officials in the Secretariat and placed before the Council. I am sure to see the law which removed from the method of election of Government has no regard for the representative local bodies. There is no reason why people should show regard for Government in sanctioning the budget. Those members who vote in favour of Government do not really represent the people and it will be necessary for us to observe their constituencies and not to elect such men for the Council.

The large amount proposed in the budget for the Development scheme and the cost of improvement partly Government and the scheme in my opinion, may be left to the Government or enabling foreign countries to take the responsibility. I feel of pending the amount on the cost of local improvement can be actually applied towards the development of the villages of Bombay. Government should not allow the money which is not to be used in one place for the other. If the Development scheme prove a failure Government will be responsible for the loss of public money and will incur the displeasure of the people. The Honourable the Finance Member must take the responsibility and I am clearly of opinion that the Council should exercise its power in the provision in public interest.

We must not forget to refer to the fact that crores of rupees have already been given on the Saitpur Barrage, and the Council is asked to sanction a further demand of crores of rupees for the same purpose. It is not a wise decision on the part of the Honourable the General Member through whom this amount is spent, that he has not convinced the members of the House as to whether the Barrage will benefit the poor ryots of the centre and the big Musalman Zamindars of Sind by taking them there personally for inspection before asking them to sanction this further demand. We should not therefore, sanction the amount provided in the budget for the Barrage, but should utilise it for providing new Second Class Irrigation Works in the districts. This course will enable the agriculturists of every village to get water for a hundred or two hundred acres of land, and they will be greatly benefited. I would, therefore request Government to devote special attention to this matter. I have from time to time made suggestions to Government in this connection and as an agriculturist and as a representative of agriculturists, I consider it my duty to point out to the Council that Government have failed to take them into consideration.

**Compulsory Education**—Government do not give us the extra amount required for compulsory education and ask the district local boards and

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municipalities to meet the extra cost by levying additional taxes on the people. They are also pressing them to take over the Educational Department and some of the local boards and municipalities have fallen victims to this policy. If Government really wish to educate our people on the lines of those in the Western countries, they should give us more funds from the paying reserved Departments. Government have reserved to themselves lakhs of acres of forest lands free of assessment and are appropriating their revenue. They should earmark that revenue as well as revenue from similar sources for the Educational Department. Really speaking it is the duty of Government to impart education to the people and I firmly believe that the agriculturists and other people in this Presidency are unable to bear further taxation. I think that the reference to the proportion of the revenue to the population of Western countries like England, Australia and Japan made by the Finance Member in his speech has been made with the object of throwing dust in our eyes. Because in showing the proportion of revenue to the population he has made no mention of the facilities provided therein in connection with education, sanitation, etc. The remarks of the Honourable the Finance Member in connection with the Excise Department are simply exasperating. He says that the reduced consumption of country liquor is decreasing the excise revenue and increasing the demand for English liquor; and this is adversely affecting schemes for water-supply, education, roads, etc. Let us consider whether this argument is not a strange one. The Honourable the Finance Member seems to desire that the number of people addicted to liquor should increase and thereby increase the excise revenue. This really means that he wishes to increase the Excise revenue by promoting the sale of liquor among us and then he would utilise the increase for providing roads, water-supply and education. The improvements brought about by such means will hardly be of any use to us as the increased consumption of liquor among us will render us unfit for taking advantage of the same. If our degeneration is to be brought about by an increase in the excise revenue it is a matter for consideration whether the reforms are of any use to us.

The grant of about Rs. 30 lakhs which is to be received from the Government of India should be utilised for the improvement of agriculture and industries in rural areas as His Excellency the Governor has already admitted in his speech that Government have not paid sufficient attention to rural industries. This Council should take a lesson from the United Provinces Council in this matter and pass a resolution that the grant received by this Presidency from the Government of India should be applied for the development of rural industries and thus promote the prosperity of villages.

This Council should also direct its attention to land revenue which is shown as an increasing figure in the budget from year to year. The present system of land assessment is pressing heavily on the agriculturists and we should put a stop to this progressive increase by the introduction of a permanent settlement. When this is done people will not find it difficult to pay their various taxes to the local boards, municipalities or

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village panchayats as at present. And I think when people know for certain that Government have introduced the permanent settlement and there shall be no further increase in land assessment, they will be in a position to assist the village panchayats, local boards and municipalities.

As regards the pay of Civil Servants, I would suggest that some of the posts should be abolished and more work taken from the rest, so that the amount spent in salaries, allowances, prior to the appointment of the Lee Commission would suffice and there would be no need of levying additional taxes from the people. Every agriculturist in this Presidency is deeply resenting the provision made in this budget as well as the amount sanctioned last year for appointing Major Pogson as water-diviner. Major Pogson has already spent from 20 to 25 thousand rupees and has had some borings taken in some districts but it is not known if the water in these borings could be used for drinking and agricultural purposes; nor do we know how much more money of our agriculturists Major Pogson is going to swallow for divining water. Really speaking we have better water diviners amongst us and they have been divining water for us and will continue to do so. If these poor people get the help from this amount the Council will earn their blessings. Our water-diviners stipulate to receive their remuneration after water is actually found and they forego it in case water is not found. Although we have among us such expert water-diviners, a white water-diviner like Major Pogson has been foisted on our agriculturists and if the amount for Major Pogson is sanctioned by the Council, we agriculturists shall be compelled to ask the voters not to vote again for those members of the Council who voted in favour of the appointment of Major Pogson and who will vote for it. Similarly the Department of the Director of Information has been forced on this Council. We should therefore refuse to sanction the amount for that Department. This will mean a saving. There is no need for the posts of Heads of Departments excepting that of the Minister in the case of Transferred Departments as there are no such posts in the Reserved Departments. I would therefore ask the Council to abolish the posts and save a large amount.

A large amount is shown as unexpended balance under the item of "chavdis" and the reason advanced for this is that there is no demand for chavdis, but this is not true. The village people are not aware that Government give a grant for chavdis and so they may not be making demands for them. It is not proper to make a saving in this item.

If the majority deals with the budget in the light of the above suggestions, there will be no occasion for Government to place before it for sanction additional taxation in the form of increase in the stamp duty and court-fees as contemplated. If, however, Government persist in their attempt to get the present budget which sacrifices the interests of agriculturists passed by the Council, I would request the members of all parties to oppose this budget and reject it. I am making this appeal to the Council as an agriculturist and in my capacity of Secretary to the Association for safeguarding the interest of agriculturists. If the Council

[Mr. N. R. Gunjal]

falls a prey to the influence of Government and sanctions oppressive taxes in the present session, I would warn Government that the representatives of the agriculturists, and popular leaders, shall have to ask agriculturists not to pay taxes to Government and start a campaign of passive resistance.

Mr. V. A. SURVE (Ratnagiri District): Mr. President, Government officials have placed before the Council for sanction the budget estimate for the current year, i.e., for the year 1926-27. Figures on the credit and debit side of this budget show that the present budget exceeds the one for the year 1925-26 by nearly one crore of rupees. Since the year, 1924 the Council has been discussing the question of making, as far as possible, severe cuts in the amounts budgeted for expensive schemes and fat salaries, of trying to make both ends meet with the revenue collected, and of looking to the comforts and education of the ryots. Despite this you make provisions in the budget for fat salaries and expensive schemes and thus squander away indiscriminately the ryots money. Do you not feel any hesitation in this? Every year lakhs of rupees are being collected from the ryots by way of increase in the land assessment, which is being effected by Government by issuing circular orders to the Settlement Officers without consulting the Council. It is my suggestion to the Honourable Sir Chunilal Mehta that he should, instead, place the question before the Council and that if it receives support of the Council after discussion by the official and non-official members, it will, in a way, tend to remove the misunderstanding of the public. The honourable member Dr. Paranjpye, who worked hard as Minister of Education to get the Primary Education Act passed, is here amongst us. The Honourable Mr. Jadhav, who as an ordinary member of the Council then opposed some of the provisions of the said Act, is also present here as Minister of Education. I would, therefore, like to discuss the question. By proclaiming everywhere that Government desired to make primary education free and compulsory, the Honourable Member got the said Act and the Local Boards Act passed: and in the latter Act he added some sections to the effect that the Educational Department should be handed over to the local boards. No sooner did Government come to know that the Educational Department was to go to the local boards than they began to say that they had no money to allot towards grants for the compulsory education: and His Excellency the Governor, in his speech made yesterday, the 22nd February 1926, clearly showed his unwillingness to provide grants for compulsory education. In a poor district like that of Ratnagiri if there be found permanent taxpayers who will contribute 4 lakhs of rupees for making primary education free and compulsory, then it will be possible to impart elementary education throughout the district. At present when the Educational Department is under Government, Government are unable to appoint assistant teachers in 102 schools in a backward district like that of Ratnagiri had to construct buildings for 92 new schools which have to be opened, though for the last 24 years teachers are pressing Government for the same. To provide for the requirements which Government are unable to satisfy,

[Mr. V. A. Surve]

Government want to shirk their responsibility by handing over the Educational Department to the local boards. Bureaucracy will be in the wrong if it be under the impression that the public are not cognisant of the above fact. The bureaucracy should consider whether it redounds to the credit of the Raj to ask the local boards to incur extra expenditure for education and meet it by imposing taxes on the ryots and thus educate the public. All the means of levying taxes on the public have become intolerable. The bureaucracy thinks that the Council has, in a way, entered into a contract of imposing various taxes on the people. Besides, the local boards have powers to impose taxes, the Municipalities hold similar powers, and the village panchayats also exercise their right of taxing the public. Moreover the Revenue Department is, in fact, oppressing the landholders. Never in the past have three or four different administrative authorities under one Government exercised their powers (of taxing) separately, but such a state of affairs is being noticed for the first time under the British Rule. An administration which is well-carried on, should be under one (central) rule only to be a lasting one. But it is well known that when there are several powers ruling over the country as above, the one which is weak goes to the wall. There have occurred instances of the above type in the declining period of the Adilshahi and the Maratha kingdoms; and those kingdoms had to suffer the consequences. To make the subjects happy and educated by incurring expenditure over their education is the responsibility to be borne by the rulers. This the bureaucracy is indirectly trying to shirk or is making a pretence in order to increase taxation. If they want to shirk the responsibility of providing for the education and happiness of the subjects, they should officially make a declaration openly, so that the ryots will consider the problem. No one is prepared to pay taxes to the Local Boards. The passing of the Primary Education Act has not only not benefited the people in point of education, but has, on the contrary, led to prejudice the public against the local board members, the Honourable Minister for Local Self-Government and the Honourable Minister of Education. And at last the bureaucracy will not fail to declare the boards and its authorities as incompetent. I again bring to the notice of the Honourable the Revenue Member the *zulum* practised on landholders within his jurisdiction. After revision survey the assessment is increased for a certain period. The Records of Rights, *Pot-Pahani* and *Pot-Hisa-Pahani* impose additional expenses on the agriculturists. Land is (table) surveyed and the ryots have to pay. The field boundaries are verified and the ryots have to pay. It is the ryots who have to pay for the inspection of boundaries of agricultural lands. Instances have occurred in which landholders have had to pay more than the value of the land to meet such expenditures. If attention is kindly paid to the above-mentioned facts, you will get credit for having done good to the ryots. Among the big schemes included in the budget, the Bombay Development scheme is, to my mind, the biggest and the most losing concern. Big engineers prepared the estimate of the scheme, after spending much money and the cost was estimated at 7 crores. Out of the 7 crores, there was going to be created a heavenly garden at Colaba



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and on the Chaupati. Since the appointment of the Committee a big cry is being raised that not  $\frac{1}{4}$ th of the work has been done, though the expenses up till now have gone up to 4 or 5 crores. It's no wonder that the (consulting) engineer has miscalculated the estimate. Those that pass off as big men, have every thing on a big scale. And it follows, that in consonance with their big salaries, their mistakes are also big. Such persons are incapable of handling the ryot's money economically. ("Vizir Saheb! crops have utterly failed this year in your dominion and the ryots find it very difficult to get grain..... *Answer.*

Well what matters it if there be no gram, why not eat ghee and sugar and pass the days?"). Until a stop is put to the ghee and sugar of the bureaucracy it would never be able to realise the ryots' starvation. The ryots' money should not be applied to city improvements and the pay of the civilians. But Government should remember that public revenue is not meant only for these purposes but for the comforts of the ryots and improvement of rural agriculture. In a losing concern like the Development Department, 5 crores have been spent; this should not be so in future. If instead, in consultation with the district local boards, small schemes of second class irrigation are taken in hand for the betterment of rural agriculture, over 60 schemes can be launched with one crore of rupees in the districts of Ratnagiri and Kolaba. And that money would not be wasted as in the case of the Bombay Development Department. Hence, if this money is utilised in the improvement of villages and small harbours it will contribute to the comfort and convenience of the ryots, and it is my firm belief, that this will tend to lessen the evils of over congestion in cities and consequent harm to life and sanitation. Since the publication of the Report of the Lee Commission the salaries of the civilians have proved excessively burdensome to this Presidency. The Bombay Government should, therefore, induce the Government of India to reduce the number of civilians in this Presidency by 25 per cent. Thus the burden of civilians' salaries will not increase, and the remaining 75 per cent. of the civilians will get the salary of the 25 per cent. retrenched officers distributed amongst themselves. The moment the Lee Commission Report was issued the bureaucracy unhesitatingly and audaciously sanctioned the increased salaries. But the peons (in Government service) are working half starved and in spite of a resolution passed (by this Council) to increase their pay, they are still working in the same condition. This clearly shows the bureaucracy's liberality and impartiality! In the Bombay Presidency, the Ratnagiri district is the most backward one from the economic and educational point of view. And the chief reason thereof is that the crop-produce of the district barely suffices for 3 and  $\frac{1}{2}$  months for the vast population of the district, and for the remaining 8 $\frac{1}{2}$  months, the ryots have to exert themselves to their utmost to maintain themselves. Hence my suggestion is to the following effect. The district of Ratnagiri contains in all 1,337 villages. Out of these, 1,024 are Khoti villages. The yearly revenue from these Khoti villages is about Rs. 7,50,000. Government does not expend a single rupee in collecting all this revenue. All the revenue is collected and made over to

[Mr. V. A. Surve]

Government by the Khoti at their own expense. 1,021 persons would have had to be employed at 15 Rs. a month to collect this revenue. Government would have had to pay Rs. 15,360 from out of the Government treasury per month or Rs. 1,84,320 per year. From this, it will be seen that the Khoti in Ratnagiri district in the matter of the collection of the revenue of Khoti villages have during the last 100 years benefited the Government by about Rs. 1,84,32,000. Hence, I would ask from the Bombay Government, as of right, one crore of rupees to be spent in the Ratnagiri district towards education and agricultural improvement. For the past 100 years, we Khoti have never approached Government for a share in this profit. Though, during this period, great famines have prevailed, no remission of assessment was asked for. But now-a-days, my district is in a sad economic plight, and I am forced to make this request. I hope that Government in this civilized age will not fail to take it into consideration.

The Honorable the PRESIDENT: I should like to know what the wishes of honorable members are in regard to the meeting to-morrow. I mentioned the matter yesterday and I asked the honorable members to consider it.

Mr. G. B. PRADHAN: We will meet at 12 o'clock and adjourn at 3.30.

The Honorable the PRESIDENT: That will reduce the working hours of the Council by one hour. I am inclined to think that a better plan would be to meet at 12 o'clock to-morrow and adjourn at 1 o'clock. Thereby we will be losing only half an hour. I take it that that is the general wish of the House. (Honorable members indicated assent.)

I have received a letter signed by 30 honorable members to the following effect:

"We the undersigned members of the Council request as follows:

"The Honorable members have decided to hold the year on 27th instant. It appears from the Council programme that on 27th instant and Saturday the 27th instant is a working day. For members attending from out of the Saturday is a necessary holiday, though the next day is Sunday.

"It is requested that Saturday 27th instant may be given a Council holiday."

In this connection I should like to invite the attention of honorable members to the programme laid down for this House, a copy of which has been supplied to every honorable member. Honourable members will observe that Saturday, the 27th instant, is a working day for the consideration of finance bills as well as other Government bills, being one of the three days set apart for that purpose. There is another point to which I should like to invite the attention of honorable members. The programme must have been settled by Government in view of the list of public holidays which has been published. I find that in the list of public holidays published under the Negotiable Instruments Act Saturday is not a holiday. But what is more important is that even in the list of sectional holidays, which are of a minor character it does not appear as a holiday. If however there is a general feeling in the House that Saturday should be a holiday I do not propose to stand in their way. But there are certain difficulties to which I should like to draw the attention of honorable members.

[The President]

There are three ways in which Saturday can be allowed as a holiday. The first is that the 12 days which have been allotted by His Excellency for the discussion of the budget should be reduced by the unanimous vote of the House to 11. (Honourable Members : No, no.) I purposely emphasise the word 'unanimous' because each member is entitled to the privilege of these 12 days in regard to budget discussion. I am not going to allow the reduction of the number of days allotted for budget discussion even if there is one dissentient voice. The second alternative is that Government should reduce one of the three days allotted in connection with finance bills. If they find the time insufficient it can be adjusted later on. The third alternative is that the current session should be extended by one day. I am quite prepared to accept a consensus of opinion in the House on that point; and I will ascertain the wishes of the House before I decide. I have told honourable members that so far as the first alternative is concerned, namely, surrendering one of the twelve days I will only accept it on the unanimous voice of the House. As regards the second alternative I will ask the Honourable Leader of the House, to tell me whether he is agreeable to that arrangement. The third alternative is that the session instead of ending on Saturday should end on the following Monday. (Honourable Members : No, no.) Thirty members have signed this communication. This has become a yearly annual; every session some such suggestion is submitted over the signature of a sufficiently large number of honourable members which I am bound to respect. If there is a feeling that the present programme should stand and that there should be no change, then there is nothing further to be said.

Mr. P. G. JOSHI : Last year there was a holiday for Holi.

Mr. L. B. BHOPATKAR : What I want to say is that even if it is not a holiday either under the Negotiable Instruments Act or in the list of sectional holidays, I request Government to curtail from three to two days the time allotted for Government bills.

The Honourable the PRESIDENT : I have put that as one of the three alternatives. I should like to know from the Honourable Leader of the House what the views of Government are in regard to it.

The Honourable Sir HENRY LAWRENCE : Mr. President, according to the present programme, three days (Friday the 26th, Saturday the 27th and Monday the 1st March) are allotted for finance bills. It all depends upon how the House deals with the finance bills which it is proposed to bring forward. If they are unanimously accepted by the House and the first reading is passed, it is quite clear that we do not require three days. However I anticipate some objection and it all depends upon how long certain honourable members may take to make their speeches in opposition. We have allotted three days in order to deal with three finance bills. It is very probable that we may not require three days; but we cannot agree to give up any of the three days at the present stage. As regards demands for grants they commence

[Sir Henry Lawrence]

on the 2nd March and go on to the 10th and after that there are two days allotted for finance and other Government bills. The demands for grants should be finished on the 17th March, because we are compelled to send the budget to the Government of India on the 18th. So, we cannot reduce the days allotted for demands for grants. The utmost we can do to meet the wish of the House is to take the finance bills, after they have come from the select committee, after the 17th March. The discussion is now fixed for the 11th and 12th. It is not very convenient to Government, but it could be done.

The Honourable the PRESIDENT: That is not the issue. That would extend the sessions. It does not alter the case whether you take up the bills earlier or later. The question is whether you are prepared to give up one of your five days.

The Honourable Sir HENRY LAWRENCE: It will take it up to March 22.

The Honourable the PRESIDENT: My question was whether Government would be prepared to give up one of their five days to have Saturday as a holiday.

Dr. R. P. PARANJPYE: May I suggest an alternative, Sir? It would be possible to make up for those four and a half hours by sitting one hour more on four other days, from 1 o'clock to 7 o'clock.

The Honourable the PRESIDENT: I am in the hands of honourable members. But I have had experience of sitting from 1 to 7, and I know the state of feeling of the House after six, during the last hour. If they are still prepared to face the ordeal, I shall not object.

The Honourable Sir HENRY LAWRENCE: The honourable member Dr. Paranjpye's proposal might perhaps be fitted in. We might agree to have an extra hour in the last four days for the demands for grants. It is quite possible that Government may not require the 5 days, in which case one of the Government days could be given up. Supposing the five days are required for Government business, then, if the House so desires, an extra hour might be added to the last four days for the demands for grants.

MOULVI RAFIUDDIN AHMAD: That is, Sir, the same thing as you pointed out. That would really be sitting from 1 to 7. It is not very convenient.

The Honourable the PRESIDENT: I would like to get some further expression of opinion before I put it to the vote.

An Honourable MEMBER: May I suggest that we should consider this question to-morrow?

The Honourable the PRESIDENT: That will take another 15 minutes.

Mr. L. B. BHOPATKAR: I think the proposal that has been made by the Honourable the Finance Member may be accepted.

The Honourable the PRESIDENT : In the first place I should like to put the question whether the House desires to have a holiday on Saturday. (Votes taken by members rising in their seats.) There are only 30 in favour. That is not a consensus of opinion.

An Honourable MEMBER : Nobody is against it.

The Honourable the PRESIDENT : That may be. But they are not in favour.

The Honourable Dr. PARANJPYE : Sir, practically every Hindu member has stood up, and the other members have not stood up.

The Honourable the PRESIDENT : Very well. Instead of declaring that there is a consensus of opinion, I will see whether there is a larger opinion in favour of any particular alternative. If there is, then I will overlook the paucity of members who have stood up on this occasion.

Mr. G. B. PRADHAN : We will accept the Honourable the Finance Member's proposal.

The Honourable the PRESIDENT : I take it that the House is against the extension of the session. (Honourable Members : Yes, yes.) Very well. I take it that it is the view of the House that Government should try to give up one of the five days that are allotted for Government Bills. If Government give up one day, the session continues as per the present programme, *minus* Saturday, which will be a holiday. In the alternative, if Government require the five days, the House will meet on the last four days allotted for demands for grants one hour earlier. (Honourable Members : We agree.) Very well. The House is practically unanimous. The House will now adjourn to 12 noon to-morrow, Wednesday, the 24th February 1926.











**VOL. XVII, Part III.**

24 FEB. 1926]

*Wednesday, the 24th February 1925.*

The Council is assembled at the Town Hall, Bombay, on Wednesday the 24th February, at 12 noon the Honourable the President SIR H RAHIM RAHIMPOO A K C S I, C I E, presiding

*Present*

ABDUL LATIF HAJI HASPAT KHAN, M  
ABDULLUKAI M N A  
ALIPCHOMPI, M J R  
ADDAMAN M J  
ADWANI, M D B  
AHMAD MOUVI RAIUDDIN  
BHOPALKAR, M L B  
BHURCH M J M  
BHUTTO Khan Bahadur S N  
BOLI, M S K  
BUNJI, M J P  
CHAUDHARI M L S  
COOPER, Khan Bahadur D B  
DABHOLKAR SH VASANTRAO A  
DADACHAND, D K E  
DEHLAVI, the Honourable M. A M K  
DISAI Rao Sahib D P  
DLV, M S S  
DIXIT, Dr M K  
FERNANDEZ, Dr COSMAS  
FRAMI, M K S  
GHOSAL M J  
GHULAM HUSSAIN, the Honourable Sir  
GUNJAL, M. N. R  
HAJI ABDULAH HAROON  
HAJI KHAMISO GUL MAHOMED  
HAMID M ABDUL ALI, M  
HARRISON, M C S C  
HAIGH, M. G. W.  
HEPPER, SIR LAWLESS  
JADHAV, the Honourable Mr B. V.  
JATOI, Khan Sahib HAJI NERAI IMAMBAKSH  
JATOI, WADERO KADIRBAKSH  
JEHANGIR, the Honourable Mr. COWASJI  
JOU, M. V. N.  
JOSHI, M. P. G.  
KALBHOR, M. G. M.  
KAMBLI, Rao Bahadur S T.  
KARKI, M M D  
KAZI INATIULLAKHAN.

KHURRO, Mr. M. S.  
 KOKANI, Mr. G. J.  
 KOTHARI, Mr. V. R.  
 LALJI NARANJI, Mr.  
 LALLJEE, Mr. HOOSSEINBOY A.  
 LAWRENCE, the Honourable Sir HENRY  
 MANSUR, Khan Sahib A. M.  
 MASTER, Mr. A.  
 MAVALANKAR, Mr. G. K.  
 MCKEE, Mr. W. G.  
 MEHTA, Dr. M. M.  
 MEHTA, the Honourable Sir CHUNILAL  
 MONTGOMERIE, Mr. A.  
 MOUNTFORD, Mr. L. J.  
 MULEMDAR, Sardar G. N.  
 MURADAM, Mr. W. S.  
 NARIKVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NAVLE, Mr. N. E.  
 NEKALJAY, Mr. R. S.  
 OWEN, Mr. A. C.  
 PAHALAJANI, Mr. B. G.  
 PARANJPE, Dr. R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATEL, Mr. G. I.  
 PATHAN, Mr. A. F. I. K.  
 PATHI, Mr. D. R.  
 PERCIVAL, Mr. P. E.  
 PETCH, Mr. F. W.  
 POWAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 RAHINTOOLA, Mr. HOOSSENALLY M.  
 RIEU, The Honourable Mr. J. L.  
 SAHEBA, Mr. H. D.  
 SAPTARSHI, Mr. C. M.  
 SARDESAI, Mr. S. A.  
 SHINDE, Mr. R. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SURVE, Mr. A. N.  
 SURVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.  
 THAKOR of Amod, the  
 THAKOR of Kerwada, the  
 THOMAS, Mr. G. A.  
 VELKAR, Dr. M. B.  
 WADIA, Mr. C. N.

WEBB, Mr. M.

WILES, Mr. G.

WOODS, Mr. E. E.

The Honourable The President : Order, order. Questions.

#### CULTIVATION OF LANDS AT KARI, SHOLAPUR DISTRICT.

Mr. N. A. ABDULPURKAR (Sholapur City) : Will Government be pleased to state—

(a) whether Government are aware of the fact that a very great acreage of lands at " Kari " in the Barsi taluka of the Sholapur district cannot be brought under cultivation, on account of the rowdyism of a section of the villagers as stated in the " Kesari ", page 15, issue 37, volume 45, dated 15th September 1925 ;

(b) whether they propose to take any action in the matter ?

The Honourable Sir CHUNI AL MEHTA : (a) About one-fourth of the land at Kari is uncultivated at present owing to a dispute between the owners and the cultivators. This dispute is partly economic and partly political. Some rowdyism occurred and was dealt with in the Courts.

(b) Efforts were made without success to effect reconciliation between the contending parties.

#### THE WAKAV RAILWAY STATION, G. I. P. RAILWAY.

Mr. N. A. ABDULPURKAR (Sholapur City) : Will Government be pleased to state—

(a) whether they are aware that there is considerable increase in the number of passengers going to and leaving from the " Wakav " railway station of the G. I. P. Railway ;

(b) whether they are aware that great hardship is felt by them for want of a platform and a waiting room ;

(c) if so, do Government propose to take any action in the matter ?

The Honourable Sir CHUNI AL MEHTA : (a) The average number of passengers is only 25.

(b) There is a rail level platform 600 feet long. The number of passengers does not justify an expenditure for providing high level platforms.

The necessity for a waiting shed at Wakav has been recognized by the railway authorities and a plan and an estimate for the same are being prepared.

(c) Does not arise.

#### DHARAMSHALAS AT RAILWAY STATIONS.

Mr. N. A. ABDULPURKAR (Sholapur City) : Will Government be pleased to state—

(a) how many railway stations between Sholapur and Poona possess Dharamshalas ;

(b) how many of them are in good condition ;

(c) how much has been spent for the repairs of those buildings during the last ten years ?

The Honourable Sir CHUNILAL MEHTA: (a) There are no Direction Hides within Railway premises at station between Poona and Sholapur.

(b) and (c) Does not arise.

#### TELEGRAPH OFFICE FOR MANGALWAR PETH.

Mr. N. A. ABDULPURIKAR (Sholapur City): Will Government be pleased to state—

(a) whether the Sholapur merchants had applied once to the Government telegraph authorities to open a new sub telegraph office in the city in Mangalwar Peth;

(b) if so when they intend to undertake the work?

The Honourable Sir CHUNILAL MEHTA: (a) No such application has been received.

(b) Does not arise.

#### GOVERNMENT GARDENS IN THE PRESIDENCY.

Rao Sahab D. P. DESAI (Kaira District): Will Government be pleased to state—

(a) whether any Government garden in the Presidency is equal in magnitude and importance to the botanical and horticultural gardens of Shaharanpur, Lucknow, Bhumal, Benares, Allahabad, Shabpur, Madras and Lahore;

(b) if the reply be in the affirmative, the name of such Government gardens in this Presidency;

(c) if the reply be in the negative, the reason for not establishing such gardens in this Presidency?

The Honourable Mr. A. M. K. DEHLAVI: (a) and (b) From the botanical and horticultural point of view the Gangaikond Garden, Kirkee, are equal to any of the named by the honourable member.

(c) Does not arise.

#### HOSPITAL AND DISPENSARY CHARGES FROM PATIENTS.

Rao Sahab D. P. DESAI (Kaira District): Will Government be pleased to state whether they have given effect to the resolution moved by the Honourable the Deputy President in regard to the charging of fees from the patients in Government hospitals and dispensaries?

The Honourable Mr. B. V. JADHAV: The attention of the honourable member is invited to Government Resolution No. 5731, dated the 6th November 1925, a copy of which has been placed in the reading room for Members of the Legislative Council.

#### SUBURBAN WATER SUPPLY.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state—

(a) what amount has been spent in the suburbs in connection with the distribution of water during the year ending 31st March 1925;

(b) what will be the total cost under that head from the beginning up to 31st March 1925 ?

The Honourable Mr. COWASJI JEHLANGIR : (a) The expenditure during the year 1924-25 on construction as well as maintenance inclusive of interest and general charges amount to Rs. 2,97,770.

(b) The total expenditure on the scheme from the beginning up to the end of March 1925 amounts to Rs. 12,70,285.

#### ELECTRIC AL SCHEME, AMBERNATH.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state the total cost of the supply of electrical power at Ambernath, the total cost of maintaining the power, and the total revenue recovered ?

The Honourable Mr. COWASJI JEHLANGIR : The total capital cost of the Ambernath Electric Supply Scheme from the beginning up to the end of December 1925 amount to Rs. 8,29,073 *plus* interest and general charge amounting to Rs. 58,659. The cost of maintenance from April to December 1925 amounts to Rs. 19,333. The total revenue realised from the middle of October 1924 from which date the supply started to the end of December 1925 is Rs. 24,500.

Mr. LALJI NARANJI : Is the scheme complete or is it still unfinished ?

The Honourable Mr. COWASJI JEHLANGIR : It is not complete.

Mr. LALJI NARANJI : Is more money going to be spent on the scheme ?

The Honourable Mr. COWASJI JEHLANGIR : I believe there is a small amount in the budget to complete the scheme.

Mr. HOUSHINBHAI A. LALLJEE : What is the total expenditure during the year ?

The Honourable Mr. COWASJI JEHLANGIR : The amount is given in the budget. I can't remember what it is.

#### COST OF BANDRA-GHODBUNDER ROAD.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state what has been the cost of the Bandra-Ghodbunder Road ?

The Honourable Mr. COWASJI JEHLANGIR : The expenditure on the Bandra-Ghodbunder Road to the end of December 1925 amounts to Rs. 8,31,985.

Mr. LALJI NARANJI : Does the Development Department pay the running cost of the road or has it been handed over to somebody else ?

The Honourable Mr. COWASJI JEHLANGIR : It has been handed over to the Public Works Department.

## REVENUE FROM SUBURBAN WATER SUPPLY SCHEMES.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state the revenue that they have received from the schemes of water supply to Santa Cruz, Juhu, at a cost of Rs. 1,25,713 and also of the Andheri water supply at a cost of Rs. 1,35,535?

The Honourable Mr. COWASJI JEHangIR: The estimated cost of the water supply schemes for Santa Cruz, Juhu and Andheri are Rs. 2,02,499 and Rs. 1,55,530 and the revenues derived from the schemes up to end of December 1925 amount to Rs. 98,427 and Rs. 12,948 respectively.

Mr. LALJI NARANJI: Does the figure of Rs. 98,427 represent the yield of Rs. 2,02,499?

The Honourable Mr. COWASJI JEHangIR: It does read like that. But I do not think so.

Mr. LALJI NARANJI: Then the reply given is not correct?

The Honourable Mr. COWASJI JEHangIR: You asked for the total revenues up to date and the total revenues are given to you. So the answer is correct.

Mr. LALJI NARANJI: Total revenues from what date?

The Honourable Mr. COWASJI JEHangIR: I can't say at present; I can make further enquiries and will let the honourable member know privately if he likes, or, if he puts a supplementary question, in the House.

Sir VASANTRAO A. DABHOLKAR: Then, may I know why the revenue derived on the amount of Rs. 1,55,530 is so small?

The Honourable Mr. COWASJI JEHangIR: It is a new scheme and most probably it is only a few months' revenue. The honourable member (Mr. Lalji Naranji) asked for the total revenues received. If the honourable member wants further information, I will make enquiries and will give it to him privately if he sees me or, if he asks a supplementary question in the House, I will give it to him in this House.

Mr. LALJI NARANJI: May I know on what terms is the work given?

The Honourable Mr. COWASJI JEHangIR: If the honourable member gives notice, I will give him the full information; I cannot speak from memory.

Mr. LALJI NARANJI: I am not asking details, only whether it is given on terms of percentages or given at your cost whatever the cost may be?

The Honourable Mr. COWASJI JEHangIR: I must ask for notice.

Mr. H. B. SHIVDASANI: What is the period for which it has been given?

The Honourable Mr. COWASJI JEHangIR: If the honourable member will give me notice, I will give him the information.

## THE KURLA-TROMBAY RAILWAY.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state the total cost of the Kurla-Trombay Railway under Suburban Scheme No. 22 and the cost of maintaining the staff of the Railway and the revenue received from the same?

The Honourable Mr. COWASJI JEHangIR: The total cost of the Kurla-Trombay Railway to the end of December 1925, exclusive of the cost of land, amounts to Rs. 5,00,670. The information regarding the cost of maintaining the staff of the Railway and the revenue received from the same has been called for from the G. I. P. Railway which is working this railway.

Mr. H. B. SHIVDASANI: What is the cost of maintaining the staff of the railway?

The Honourable Mr. COWASJI JEHangIR: I could not tell you; I have not got the information at present.

Mr. H. B. SHIVDASANI: Is it large or small?

The Honourable Mr. COWASJI JEHangIR: I should not like to answer from memory, but I think it is about half a lakh.

Mr. H. B. SHIVDASANI: What is the total cost?

The Honourable Mr. COWASJI JEHangIR: It is about half a lakh of rupees, I think; but I will verify that figure if the honourable member gives notice.

## OFFICERS OF THE DEVELOPMENT DEPARTMENT.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state—

(a) whether they can reduce the number of officers given by them in Appendix E, page I, of the Development Department report for the year 1925 and, if so, which of such officers can be reduced under this;

(b) whether in view of the very large curtailment of the activities of the Department, the services of the Deputy Director or the Director of Development are proposed to be dispensed with?

The Honourable Mr. COWASJI JEHangIR: (a) The question of reduction in the Secretariat and Direction staff is at present under consideration.

In the Reclamation Branch the posts of Executive Engineer in charge, Quarry Section, and of the Quarry Master and Mechanical Engineer, have been retrenched; the posts of Deputy Chief Engineer, Colaba Section, and one Assistant Engineer are being abolished, and further reductions are under consideration. The Housing and Materials Division and the Suburban Division have been amalgamated from the middle of October, and this has resulted in the reduction of one Superintending Engineer's post; moreover, owing to the reduction or completion of works, four Executive Engineers' posts and a number of Assistant Engineers' posts have already been abolished while two Executive Engineers' posts and a number more of Assistant Engineers' posts will be



abolished later, thus reducing the number of engineering appointments for the Honing and Suburban Circle to one. Superintendent Engineer and two Executive Engineer.

The post of Superintendent, Bombay Suburban Sanitation and Manager, Development Directorate have been abolished; their work is being merged by the Collector, Bombay Suburban District, and the Deputy Director of Development, respectively, in addition to their own duties.

The post of Assistant Development Officer, Trombay, however, stated in the Appendix E, has been abolished.

The services of the Consulting Town Planner have been dispensed with.

(b) No.

Rao Sahib D. P. DESAI : When was the work on the Colonisation discontinued or abolished? Reclamation on East Colaba finished.

The Honourable Mr. COWASJI JEHANGIR : It has not been discontinued.

Rao Sahib D. P. DESAI : Is reclamation to East Colaba complete yet?

The Honourable Mr. COWASJI JEHANGIR : If the honourable member remembers, last budget session we informed the Hon. that we were not going on with it.

Rao Sahib D. P. DESAI : Then, how was it that the Deputy Chief Engineer's post was not abolished?

The Honourable Mr. COWASJI JEHANGIR : That has nothing to do with East Colaba. There are two Colaba, the East and the other.

An Honourable MEMBER : How long will it take to solve the question of reduction which is under consideration?

The Honourable Mr. COWASJI JEHANGIR : For the last two years retrenchment has been taking place. It has been going on throughout the year. Whatever we have decided up to the budget time is in the budget. We will go on retrenching during the year, reducing the expenditure as it goes on, and show you the saving at the end. This year we have shown a saving to the honourable House. We will inform the honourable House next year what reductions have been effected during the current year.

Mr. H. B. SHIVDASANI : What work has the Director to do now? Only the filling in is going on.

The Honourable Mr. COWASJI JEHANGIR : It will take a very long time, Mr. President, to describe the duties of the Director and Deputy Director, and I do not think I can give him the information, at question time, as regards all the work that is to be done by these officers.

An Honourable MEMBER : Is it not only superintendence?

The Honourable Mr. COWASJI JEHANGIR : No.

MOULVI RAFIUDDIN AHMAD : How is the retrenchment or reduction made; by the Honourable Member in charge or how? What is the agency?

The Honourable Mr. COWASJI JEHLANGIR: By Government. Recommendation are put up to Government. Government consider the staff that there is and the work to be done, and then come to a decision.

MOULVI RAFI'UDDIN AHMAD: Who puts up the recommendation?

The Honourable Mr. COWASJI JEHLANGIR: Of course, the heads of the department, as in the case of all other departments. But, of course, the initiative can come from Government, too, as it often does.

#### AHMEDABAD RAILWAY STATION.

MOULVI RAFI'UDDIN AHMAD on behalf of Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state

(a) What is the estimated cost for overhauling the old railway station at Ahmedabad and building one on the modern lines like the one at Poona;

(b) How much of the sanctioned amount has been spent on the said scheme till now;

(c) What work remains to be executed out of the proposed changes;

(d) Is it a fact that the original intention of the Railway Company to bring the metre gauge line side by side with the broad-gauge line to avoid inconvenience and hardship to passengers has not been carried out by the Bombay, Baroda and Central India Railway Company?

The Honourable Sir CHUNILAL MEHTA: (a) The Agent, Bombay, Baroda and Central India Railway Company, reports that a detailed estimate for a new station building at Ahmedabad has not been prepared as it is not proposed at present to replace the existing building.

(b) Does not arise.

(c) Does not arise.

(d) Yes. It was not possible to bring the metre-gauge and broad-gauge lines side by side without acquiring extra land and generally shifting the present station. The present arrangement is also more convenient for local passengers who preponderate.

#### SITTING ARRANGEMENTS IN CIVIL COURTS FOR VISITORS.

MOULVI RAFI'UDDIN AHMAD on behalf of Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state

(a) Whether there is any adequate accommodation for sitting provided for those who visit the courts on business in the mofussil;

(b) Whether they are aware that there are notices placed in the courts in the mofussil, that none but pleaders, vakils and members of the Bar should take their seats on the chairs provided in those courts;

(c) Whether they propose to take any action in the matter, by way of giving proper accommodation for sitting to persons other than members of the Bar?

The Honourable Mr. J. L. RIEU: Such accommodation as is possible is provided in courts for the public. It is certainly not the case that in all courts in the mofussil there are such orders as are quoted by the



Mandated to Government Resolution No. L. C. 1225 dated 31st July 1924, copy of which is laid on the Council Table in response to the honourable member's question regarding Government orders affecting Inamdars' interests.

(b) and (c) Enquiry has been made.

Sardar G. N. MUJUMDAR: With regard to part (a), my question referred to taluats and the records of man villages, while the answer referred to Government Orders affecting inamdars' interests. That is not a correct reply to my question.

The Honourable Sir CHUNILAL MEHTA: I am afraid I am unable to follow the Honourable member.

Sardar G. N. MUJUMDAR: The Standing Orders referred to in the question related to taluats and the keeping of the records of man villages, and in reply to it Government have referred me to Government orders affecting inamdars' interests.

The Honourable Sir CHUNILAL MEHTA: I believe that the order referred to in the question contains the information which was asked for in part (a) of the question.

Sardar G. N. MUJUMDAR: It does not. I have got the Alienation Mandate.

The Honourable Sir CHUNILAL MEHTA: If the honourable member will give notice and ask for my specific particulars which he wants, I shall be glad to let him have the information.

Sardar G. N. MUJUMDAR: Will it be supplied to me immediately?

The Honourable Sir CHUNILAL MEHTA: As soon as possible, probably during the session if the honourable member will send in his question.

Sardar G. N. MUJUMDAR: With regard to (b) and (c), the reply is that enquiry has been made. May I know what is the result of the enquiry?

The Honourable Sir CHUNILAL MEHTA: If the result had been obtained, I should have given it to the honourable member. We have asked the officers to supply us with the information, and as soon as it is received, we shall let the honourable member have it.

Sardar G. N. MUJUMDAR: But the reply says that enquiry has been made.

The Honourable Sir CHUNILAL MEHTA: So it has been. We have written to the officers to supply us with a report. That has not been received by Government yet.

Sardar G. N. MUJUMDAR: Will the result be communicated to me afterwards?

The Honourable Sir CHUNILAL MEHTA: Certainly, with pleasure.

(GHASDANA AND RAJACHITTI CRSES)

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars): Will Government be pleased to state separately the annual amounts

levied on account of ghasdana and rajchitti cesses in the Panch Mahals and other districts of the Bombay Presidency ?

The Honourable Sir CHUNILAL MEHTA : Ghasdana and Rajchitti (not Rajchitti) do not now occur as cesses anywhere in the Bombay Presidency. The levy of these cesses in the Panch Mahals was finally abolished in 1912. Ghasdana is however found to occur as one of the items in the Mamul judi of certain inam villages in the Karmala Taluka of the Sholapur District and the Chalisgaon Taluka of the East Khandesh District. The total amount thus included in the Karmala villages is Rs. 45-1-0 and that included in the Chalisgaon villages is Rs. 119-15-6.

Sardar G. N. MUJUMDAR : May I know the names of the inam villages in the Karmala and Chalisgaon talukas where Ghasdana is found to occur as one of the items in the Mamul judi ?

The Honourable Sir CHUNILAL MEHTA : I wish to ask for notice of the question ; I cannot carry that information in my head.

#### APPOINTMENTS OF PUBLIC PROSECUTORS AND ASSISTANT PUBLIC PROSECUTORS.

Mr. P. G. JOSHI on behalf of Mr. K. F. NARIMAN (Bombay City, South) : Will Government be pleased to state—

(a) How many non-Brahmin Members of the Council have been appointed Public Prosecutors or Assistant Public Prosecutors ?

(b) Whether it is a fact that these appointments are usually made from the senior members of the Bar ?

(c) Whether the gentlemen appointed are senior members of the Bar in those districts ?

(d) What are the reasons for making these appointments ?

(e) Whether Government have promised similar posts to any other members of the Council ?

(f) Whether they have laid down any policy requiring a member of the Legislative Council, holding a Government post, to vote with them on questions coming up before the Council ?

(g) Will Government place on the Council Table the record showing how often these Honourable Members have voted for and against Government before and after these appointments ?

The Honourable Mr. J. L. RIEU : (a) One Public Prosecutor and two Assistant Public Prosecutors.

(b) Assistant Public Prosecutors are often junior members of the Bar.

(c) They are not very senior.

(d) The gentleman appointed were considered suitable for the post.

(e) and (f) The reply is in the negative.

(g) Reference is requested to the published proceedings of the Council.

I would add that I most emphatically repudiate the insinuation which is made in parts (f) and (g) of the question.

Mr. W. S. MUKADAM : With reference to (a) of the answer, will Government be pleased to give out the names of these two assistant public prosecutors and one public prosecutor ?

The Honourable Mr. J. L. RIEU : Messrs. Dalvi and Shinde and Mr. Chaudhari.

Mr. H. H. NARIELVALA : The reply to part (c) is " They are not very senior ". What am I to understand by the words " not very senior "? The Honourable Mr. J. L. RIEU : They are of about six years' standing or so.

Mr. H. H. NARIELVALA : What is meant by senior ?

The Honourable Mr. J. L. RIEU : That is for the honourable member to judge.

Mr. W. S. MUKADAM : How have Government judged it ? What is the standard of the Government to judge it ?

Mr. L. B. BHOPATKAR : May I know the period after which a pleader is considered to be a senior pleader ?

Mr. H. B. SHIVDASANI : Has any other honourable member of this House been made a public prosecutor or assistant public prosecutor, who is not a non-Brahmin ?

The Honourable Mr. J. L. RIEU : I must have notice of that question.

Sir VASANTRAO A. DABHOLKAR : The reply to part (c) is that they are not very senior, and to part (d) that the gentlemen appointed were considered suitable for the post. My question is, to what communities the more senior members of the Bar belong.

The Honourable Mr. J. L. RIEU : I understand the honourable member's enquiry to be as to the communities to which all members of the Bar senior to the one who was appointed belong. I am afraid I am unable to give that information off-hand, but if the honourable member would give me notice, I shall be delighted to do so.

Mr. J. C. SWAMINARAYAN : Can public prosecutors and assistant public prosecutors, being Government servants, continue to remain elected members of the Legislative Council under section 80-B of the Government of India Act ?

The Honourable Mr. J. L. RIEU : Yes, that is the case.

Mr. J. C. SWAMINARAYAN : Are they semi-officials ?

The Honourable Mr. J. L. RIEU : They are not whole-time servants of Government.

MOULVI RAFIUDDIN AHMAD : Will the Honourable Member kindly state how many Brahmin members of the Council are senior or assistant public prosecutors ?

The Honourable Mr. J. L. RIEU : A very large number.

Honourable Members : Members of this House ? No, no.

Dr. R. P. PARANJPYE : My friend asked how many Brahmin members of this House are public prosecutors or assistant public prosecutors.

The Honourable Mr. J. L. RHEE : I understand that there are none at present at the station, but I am not sure.

Mr. H. H. NATHANALAL : With regard to the matter of part (d) of the question, will you be good enough to make the opportunity of Mr. J. L. RHEE's answer to me?

Mr. J. L. RHEE : I am sorry to hear that. One public provision and two private public provision. Mr. Nathanalal, is that all right? (Mr. Nathanalal : Yes.)

The Honourable Mr. J. L. RHEE : No.

#### AHMEDABAD RAILWAY STATION REMODELLING

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : (1) Will Government be good enough to place on the Council table a copy of the original proposal of remodelling of the Ahmedabad Railway Station and the actual details of the work already executed, the plan for subsequent alterations and completion of certain portions?

(2) Will they be pleased to give provision for not buying too wide gauge and broad gauge side by side for convenience for the convenience of passengers?

(3) Will they be pleased to state whether they intend to improve for such convenience in near future?

The Honourable Sir CHUNILAL MISHRA : (1) A memo. bearing No. 7579, 66 is together with it, part plan showing the actual details of the remodelling of Ahmedabad Station and is placed on the Council table. The Agent Bombay Branch and Central India Railway Company, reports that as the work originally sanctioned were held up for want of funds during the war, opportunity has been taken of reviving the sanctioned arrangements to meet the present day requirements of the various departments of the railway.

(2) It was not possible to bring the metre gauge and broad gauge line side by side without acquiring extra land and generally shifting the present station. The present arrangement is also more convenient for local passengers who preponderate.

(3) No.

#### WATER SUPPLY AT DAKORE

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased—

(a) to give the number of villages that suffered scarcity of drinking water during the last summer in the Kaira and Ahmedabad districts,

(b) whether any steps are intended to be taken in the near future to redress this vital grievance of the villagers,

(c) whether they have received any schemes for the supply of water at Dakore,

(d) whether practical steps have already been taken for the water-supply at Dahanu; if not, the probable time in which such steps would be taken?

The Honourable Sir GHU LAM HUSSAIN : (a) The exact number of villages in the Ahmednagar District cannot be given but it is true that many villages in this District suffered a shortage of drinking water during the hot weather. In the Kaira District about 109 villages so suffered.

(b) The duty of improving water supply for drinking is primarily on the local board and Municipality. They annually devote large sums to this purpose. Government also give aid to these bodies every year for the purpose. A pecuniary grant of Rs. 50,000 has been placed at the disposal of the Collector of Ahmednagar for this purpose and the amount is being spent on tank clearance. Four large boring machines are continuously working in the district and about 20 successful artesian bores have been made up to now. In the Kaira District Government grants amounting to Rs. 33,000 were sanctioned in 1924-25 which were available for expenditure till 31st March 1925. A special grant of Rs. 8,000 for the improvement of village water supply has been sanctioned in 1925-26. The local boards also contribute amounts to help water-supply in the villages.

(c) and (d) Already replied to.

#### HEAD ASSISTANT TO INSPECTOR GENERAL OF REGISTRATION

Mr. D. R. PATIL (Last Khandesh District) : Will Government be pleased to state—

(i) How many persons have worked as permanent Head Assistants to the Inspector General of Registration since 1907?

(ii) How many of them were—(a) Brahmins, (b) Prabhus and (c) Hindus from the backward classes?

Honourable Mr. A. M. K. DEHLAVI : (i) Seven.

(a) Three were Brahmins,

(b) two were Prabhus and

(c) none from the Hindu backward classes.

Mr. D. R. PATIL : May I know the reasons why persons from the backward classes have been shut out from becoming head assistants to the Inspector General of Registration?

The Honourable Mr. A. M. K. DEHLAVI : They have not been shut out.

Mr. D. R. PATIL : Then why were they not appointed in this post?

The Honourable Mr. A. M. K. DEHLAVI : There were not suitable men for this post.

Mr. P. G. JOSHI : Will Government dismiss the present incumbents and appoint members from the backward community in those posts?

The Honourable Mr. A. M. K. DEHLAVI : No.

Mr. D. R. PATIL : Has the Honourable Minister made enquiries and found that there were not suitable men?



The Honorable Sir HENRY LAWRENCE: The Honorable Member has received a reply to his question for the administration of the District.

#### SUB-REQUISITES

Mr. R. G. PRADHAN (Nasik District): Will the Honorable the Minister for Local Self Government be pleased to state—

(a) whether any action has been taken to relieve the concerned rate-payers who suffer in the present—

(b) the action has been taken to meet the requirements of the rate-payers set forth in their memorial conference held at the District Office?

Honourable Mr. A. M. K. DEHLAM: (a) and (b) The Government are considering the consideration of Government.

#### EXTENSION OF NASIK MUNICIPALITY

Mr. R. G. PRADHAN (Nasik District): Will the Honorable the Minister for Local Self Government be pleased to state—

(a) whether it is correct that the Nasik municipality has passed a resolution requesting Government to extend the municipality of office of the municipal councillor by one month—

(b) if so, whether the municipality has obtained the sanction of the Government among the rate-payers on the matter before passing the resolution—

(c) whether he is aware that the resolution does not express the views and the desire of the rate-payers—

(d) what action he has taken on the resolution?

The Honorable Sir GHULAM HUSSAIN: Information has been called for.

Mr. R. G. PRADHAN: Is not the Honorable Minister aware that the matter has already been decided and that the extension asked by the municipality has not been given?

The Honorable Sir GHULAM HUSSAIN: I do not know.

#### FIFTH STANDARD FOR ANGLO-VERNACLULAR GIRLS' SCHOOL

Mr. R. G. PRADHAN (Nasik District): Will Government be pleased to state—

(a) Whether they have received from the ladies of Nasik a representation urging that the Fifth Standard should be added to the Anglo-Vernacular Girls' School, Nasik, from March 1926?

(b) If so, what action they have taken thereon?

(c) Whether a similar representation has been received from Mr. R. G. Pradhan, M.L.C., as president of a public meeting of the citizens of Nasik held with the object of appealing to Government to add the Fifth Standard to the school?

The Honorable Mr. B. V. JADHAV: (a) Yes.

(b) The representation is under consideration.

(c) Yes.

MR R. G. PRADHAN: Is the Honourable Minister aware that the lady of Nasik is going with him because the matter has not been decided yet?

THE HONOURABLE MR B. V. JADHAV: I emphatically repudiate the insinuation.

#### SMALL CAUSES COURT HOLIDAYS

MR HOOSSENALLY M. RAHIMTOOLA (Bombay City): Will Government be pleased to state—

(a) the days which are observed as holidays in the Small Causes Court Bombay;

(b) which of the days that are recognised by Government as public holidays are not observed as holidays in the Small Causes Court;

(c) which of the days that are observed in the Small Causes Court is holiday but not recognised by Government as public holidays;

(d) the reasons for the difference in the public holidays recognised by Government and the holidays of the Small Causes Court?

THE HONOURABLE MR J. L. RIEU: (a), (b) and (c) The attention of the Honourable Member is invited to Government Notification in the Home Department No. P. 59 (a), dated the 9th February 1925, and Government Notification in the Finance Department No. P. 189-F-I, dated the 11th October 1921, published at pages 119 and 2471 of Part I of the *Bombay Government Gazette* dated the 12th February 1925 and 16th October 1921, respectively.

(d) The Small Causes Court draws up its own list of holidays under the power given to it under Section 92 of the Presidency Small Causes Court Act, XV of 1882 subject to approval of Government. The list is framed on the basis of the special conditions prevailing in the Small Causes Court and circumstances obtaining there. The requirements of this Court for holidays are special and consequently different in certain respects from those obtaining in other Government offices. The Small Causes Court has to keep in view the proportion of the different communities resorting to it with their suits, and keep their convenience in mind in framing its list. Hindus and Parsis largely predominate, and Muhammadans resort to it in small numbers. The list is drawn up accordingly. At the same time all Muhammadan holidays are observed as Sectional Holidays.

MR HOOSSENALLY M. RAHIMTOOLA: Are the conditions in the High Court and small causes courts different with regard to holidays?

THE HONOURABLE MR J. L. RIEU: Yes, that is why differences exist in the lists of holidays.

#### TRAVELLING ALLOWANCE TO ESTABLISHMENT OF ASSISTANT FOREST ENGINEER, NASIK

MR R. D. SHINDE (Nasik District): Will Government be pleased to state why the travelling allowances of the establishment of the Assistant Forest Engineer, Nasik, are not paid for a year?

The Honourable Mr. A. M. K. DEHLAVI : The delay in the payment of the travelling allowance of the establishment of the Forest Engineer, N. D., Nasik, was due to many changes in the clerical establishment of his office.

Mr. R. D. SHINDE : Is it a fact that the travelling allowance is lying in the office of the Forest Engineer ?

The Honourable Mr. A. M. K. DEHLAVI : If the honourable member puts a separate question I will enquire into the matter and inform him.

#### RENT FOR STUART LODGE, NASIK.

Mr. R. D. SHINDE (Nasik District) : Will Government be pleased to state—

(a) whether they have received any rent from those officers who occupy the Stuart Lodge at Nasik since June last ;

(b) if not, why rent is not recovered from them ?

The Honourable Mr. A. M. K. DEHLAVI : (a) Yes.

(b) Does not arise.

#### THE SAW MILLS, WEST NASIK DIVISION.

Mr. R. D. SHINDE (Nasik District) : Will Government be pleased to state—

(1) what is the total expenditure incurred on the saw mills conducted by the Forest Department in the West Nasik Division during 1924-25 showing separately the charges of cutting and converting timber as well as establishment charges ;

(2) what is the total revenue realised during the year by sale of sawn materials from these mills ;

(3) whether it is a fact that the rates at which sawn material was sold were lower than the actual rates offered by private contractors ?

The Honourable Mr. A. M. K. DEHLAVI : (1) The total expenditure incurred on running the saw mill in the West Nasik Division during 1924-25 was Rs. 34,940 comprising the following items :—

	Rs.
(i) Establishment charges	10,209
(ii) Overhead charges	4,426
(iii) Collection, conversion and cross-cutting	1,235
(iv) Local stores	2,109
(v) Miscellaneous charges	15,770
(vi) Depreciation of machinery	1,191
Total	34,940

(2) The total revenue realized during the year 1924-25 was Rs. 63,584.

(3) No private offers had been received and such offers from private contractors are not considered when the saw-mill material is sold by open public auction.

CONSTRUCTION OF CERTAIN GOVERNMENT BUILDINGS IN  
NASIK DISTRICT.

Mr. R. D. SHINDE (Nasik District): Will Government be pleased to state—

(1) what are the total amounts of the estimates for the new Headquarters Police Lines at Nasik, the new Police Lines at Manmad and the Central Jail at Nasik Road;

(2) the names of the contractors to whom these works are given;

(3) whether Government had publicly called for tenders for these works;

(4) if the answer to (3) be in the negative, why tenders were not called for in these cases?

The Honourable Sir GHULAM HUSSAIN: (1) (a) New Headquarters Police Lines at Nasik Rs. 4,93,132. A supplementary estimate amounting to Rs. 82,125 for this work is under consideration of Government; (b) New Police Lines at Manmad Rs. 79,946; (c) Central Jail at Nasik Road (Part I) Rs. 6,40,696; Part II of the project is under preparation.

(2) The first work has been given to Mr. Hanuman Dwarkadas and the other two to Mr. D. T. Patel.

(3) No.

(4) Because the procedure adopted in giving the works to the contractors in question was in the best interests of the works concerned in each case consistent with the needs of economy, efficiency and rapid progress.

CATTLE GRAZING TAX, BHATHA VILLAGE.

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to state—

(a) Whether the people of Bhatha village in Chorasi Taluka of Surat District have until now been allowed for over 20 years to graze their cattle on the land in the bed of the River Tapti included in the bet-village free of charge?

(b) Whether the Collector of Surat has as an experimental measure been pleased to order the levy for one year of a tax of annas two per head of cattle, goats and sheep?

(c) What is the estimated gross income to Government from this source, what is the estimate of the cost of collection and what will be the net income?

(d) Whether Government have approved of the action of the Collector, Surat, in imposing this levy per head of cattle?

The Honourable Sir CHUNILAL MEHTA: Inquiry is being made.

PRICE OF COTTON.

Mr. H. B. SHIVDASANI (Surat District): Will Government be pleased to give for each of the last five years the average difference in the price per Khandi of cotton between—

(a) Broach and Navsari,

- (b) Ankleshwar and Navsari,
- (c) Kim and Navsari,
- (d) Sayan and Navsari,
- (e) Surat and Navsari?

The Honourable Mr. A. M. K. DEHLAVI: Information has been called for.

#### DEATHS WITHIN WESTERN INDIA TURF CLUB ENCLOSURE.

Mr. A. N. SURVE (Bombay City, North): Will Government be pleased to state the number of deaths which occurred within the race enclosures in Poona and Bombay during the past five years by such causes as heart failure, apoplexy, etc.?

The Honourable Mr. J. L. RIEU: One servant of the Turf Club died of heart failure at Poona; one person died of malarial fever and heart failure in Bombay.

Mr. A. N. SURVE: Was an inquest held over the dead body?

The Honourable Mr. J. L. RIEU: I am unable to say.

Mr. P. G. JOSHI: What was the immediate cause of the heart failure? (No reply.)

#### HEAVY MOTOR LORRIES TRAFFIC.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether they intend to prohibit the traffic of heavy motor lorries which are at present plying for hire in various parts of the Presidency;

(b) if the answer to (a) is in the affirmative, will they state whether they will give sufficient time and opportunity to the present owners of heavy motor lorries to adjust them to the new requirements before the prohibition is enforced?

The Honourable Mr. J. L. RIEU: (a) In the negative.

(b) Does not arise.

#### ELLIS BRIDGE STATION.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether it is a fact that traffic has immensely increased on the Ellis Bridge station since the opening of the Dholka Dhandhuka Railway line;

(b) whether it is a fact that there is no shaded place on the platform of the said station for third class passengers who are compelled to sit in the sun and rain while waiting for the arrival of the trains;

(c) if so, what action have they taken or intend to take in the matter?

The Honourable Sir C. V. MEHTA: (a) There is an increase.

(b) There is a waiting shed already in existence at this station sufficient for the number of passengers travelling. If on the other hand by a shady place on the platform it is meant that there should be a covering to the

platform, Government are informed that such a convenience is provided only at the largest stations on the line and cannot be justified at Ellis Bridge.

(c) Does not arise.

#### CATTLE FODDER FOR BAVLA.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): (a) Will Government be pleased to state whether it is their policy to have storehouses of fodder for cattle to be used in times of famine and scarcity;

(b) whether the Mahajan of Bavla, a town in the Dholka Taluka of Ahmedabad District, have built a storehouse for fodder in revision survey No. 813 in which the village tank, village well and village reservoir for cattle were situated, with the charitable object of storing grass and distributing it at cheap rate or gratis to needy cattle in times of scarcity;

(c) whether the Collector of Ahmedabad District, has stopped the completion of the building and ordered its demolition;

(d) whether Government are aware that a famine is imminent in Gujarat;

(e) what measures do Government intend to take for supplying fodder to needy cattle of the famine-stricken villages in the vicinity of Bavla and for keeping them alive in co-operation with the Mahajan or independently?

The Honourable Sir CHUNILAL MEHTA: (a) Yes.

(b) The Mahajan of the village erected without permission a building on Government land in the survey number mentioned. The Mahajan is not a public body but a private association or guild without any public trust. There was no guarantee that the building was intended to be a storehouse for fodder for charitable purposes. The storehouse could be used by the members of the Mahajan for its own purposes.

(c) Yes; but the Collector is going to examine the question once more with a view to seeing if the building can be partly retained for public purposes. Part of it encroaches on a public way running through the survey number and will most probably have to come down.

(d) There is no fodder famine in Gujarat. But arrangements for supplying fodder to agriculturists in places where need for it may arise have been made.

(e) Does not arise. There is ample fodder this year in all the area round Bavla.

#### WATER SCARCITY IN THE KHARI CUT CANAL.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether, in case of scarcity of water, the irrigation authorities are required to inform beforehand those cultivators to whom they will supply water and those to whom they will not so as to enable them to save some portion of their crops by other means at their disposal such as wells, etc.;

(b) whether the Irrigation Department had insufficient water in the Khari Cut Canal this year;

(c) whether they promised water to some cultivators which they were afterwards unable to supply with the result that the cultivators' crops were destroyed?

The Honourable Mr. COWASHI JEHLANGIR : Information has been called for.

#### APPOINTMENT TO Mr. H. H. TRIPATHI.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether they informed Mr. H. H. Tripathi that posts of Official Receiver and Registrar, etc., were not vacant in the Home Department itself, and that he may apply to the Heads of other Departments direct for a suitable post;

(b) if so, whether they intend to provide Mr. H. H. Tripathi with a suitable post in any other department, in consideration of the hardship of his case?

The Honourable Mr. J. L. RIEU : (a) In the affirmative.

(b) I am not prepared to make any statements about the prospects of individuals obtaining employment in the departments under my charge.

#### WELL AT LIMBLA IN PRANTIJ TALUKA.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether it is a fact that at the time of acquiring the village well from the people of Limbla, in the Prantij Taluka, the Irrigation Department promised to keep the well in constant repairs to supply drinking water to the people of the village all the year round;

(b) whether they are aware that the well has been since broken by its being submerged under irrigation water during the monsoons;

(c) whether the village people applied to the Irrigation Department to repair the said well;

(d) if so, what action Government have taken in the matter?

The Honourable Mr. COWASHI JEHLANGIR : Information has been called for.

#### AHMEDABAD DISTRICT LOCAL BOARD—DISQUALIFICATION OF MEMBERS NOT ATTENDING MEETINGS.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) the names of the members of the District Local Board of Ahmedabad, who have been disqualified for failing to attend the meetings of the Board under section 30 (1) (c) of Local Boards Act, during the year 1924;

(b) the dates of the meetings of the Board which they failed to attend and the dates of the meetings of the Board which were held during the year;

(c) whether there was any difference of opinion as regards the interpretation of the said section between the President of the Ahmedabad District Local Board and the Commissioner, Northern Division?

The Honourable Sir GHULAM HUSSAIN: Information is being obtained.

#### ACQUISITION OF OCCUPIED FOREST LAND IN POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) the approximate date by which the acquisition of all the occupied lands within the sanctioned demarcated limits of the forests in the Junnar, Haveli, Purandhar talukas and Ambegaon Petha of the Poona District will be completed?

(b) Are the holders of lands which have been notified for acquisition allowed to cultivate their holdings?

(c) What are the rights of owners of land within the forest demarcation line as regards the cutting of teak and riwal trees, grazing of cattle, and cultivating the lands in the talukas of Khed, Mawal, Bhimthadi, Shirur and Indapur and pethas Mulshi and Dhond of the Poona District? Will they be given 20 per cent. in the income as is done under Kanara rules?

(d) What are the grounds on which permission may be refused to cut teak and other trees in malki lands if the prescribed fee is paid?

(e) On whom lies the burden of proof that the prescribed fee was paid for cutting teak and other trees in malki numbers?

(f) Whether it is a fact that permission was formerly given to cut teak and other trees before rule 61 of the rules under section 214 of the Bombay Land Revenue Code, came into force? Has that rule any retrospective effect?

The Honourable Mr. A. M. K. DEHLAVI: (a) Government regret it is not possible to give the approximate date.

(b) Yes.

(c) A fee of Re. 1-8-0 per tree is charged for all teak trees sold within the 'demarcation line' in talukas other than those mentioned in Land Revenue Rule 63. Apart from this the occupants exercise the usual rights of occupants of malki lands. 20 per cent. share of the net proceeds of the sale of teak is paid to the owners only in the Thana District in lieu of the privilege of pre-emption over the trees in their numbers which they formerly enjoyed.

(d) Presumably the Honourable Member refers to trees in malki lands inside the demarcation line. This line is intended to indicate a boundary within which it is desirable to afforest malki survey numbers when opportunity arises, *e.g.*, when they are relinquished. When good teak growth exists in a revenue survey number inside the line, permission to cut the trees would normally be refused, as to grant it would mean the destruction of the trees and would defeat the purpose for which the demarcation line was drawn.

(e) On the owner.



(f) The question asked in this clause is not intelligible. The rule quoted therein does not apply to the lands mentioned in the question.

#### SURVEY SETTLEMENT IN INAM VILLAGES.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether in the matter of introduction of revision survey and revision rates in any inam village the consent of all the sharers is necessary as is the case at the time of introduction of the original survey;

(b) whether the revision survey takes place automatically after the expiration of the guaranteed period of the original survey as is the case in Khalsa villages;

(c) whether they propose to take any steps to amend the Land Revenue Code so as to avoid the difficulty experienced in obtaining the consent of all the sharers in an inam village as stated by them in their reply to my Question No. 3 (c), sixth list, first session of 1925;

(d) with regard to the reply to 3 (b) above, whether the inamdars of the 13 unsurveyed villages of the Khed Taluka of the Poona District were given assurances that their Gatkali and other rights will not be interfered with by the introduction of survey in their inam villages?

The Honourable Sir CHUNILAL MEHTA: (a) Yes. If the original survey was not introduced under the Land Revenue Code.

(b) This is the case where survey settlement is introduced under section 216 of the Land Revenue Code.

(c) After careful consideration of the matter, Government have decided not to undertake any amendment of section 216 for the present.

(d) The Honourable Member is referred to the reply to his question No. 3 at page 4 of the ninth list of Legislative Council Report of the third session, 1925.

#### SADASHIV LAKSHMAN MARATHE.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether it is a fact that the services of Mr. Sadashiv Lakshman Marathe, late a Nintandar in the Survey Department in the Satara District, were dispensed with in the year 1921 without giving him any opportunity for his defence?

(b) Whether Mr. Marathe appealed against that order to the Settlement Commissioner and again to the Governor in Council on 30th August 1921 and if so what are the decisions of these appeals?

(c) What are the charges against him and what are the reasons for his dismissal?

(d) Will Government be pleased to lay on the Council Table the papers relating to the dismissal of Mr. Marathe?

The Honourable Sir CHUNILAL MEHTA: (a) No.

(b) Mr. Marathe appealed to the Governor in Council against the Settlement Commissioner's order but Government declined to interfere.

(c) Illicit gratification and insubordination.

(d) No.

Dr. R. P. PARANJPYE : Was he not prosecuted for illicit gratification ?

The Honourable Sir CHUNILAL MEHTA : No.

Mr. H. B. SHIVDASANI : Was he not given a chance to clear his character ?

The Honourable Sir CHUNILAL MEHTA : He could have cleared his character in the enquiry that was held by the officers ?

Mr. H. B. SHIVDASANI : Is it not doubtful whether they would clear their character in the official enquiry ?

(No reply.)

#### TRANSFERS OF CLERKS IN DISTRICT COURTS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether any transfers of Nazirs, Head Clerks, and clerks of the Court of the several District Courts have been made in this Presidency, during the last ten years, under the orders contained in clause 1 of section 40-A of Act No. 14 of 1869 (Bombay Civil Courts Act) ;

(b) if so which are they and for what reasons ?

The Honourable Mr. J. L. RIEU : No such order has been traced on the records of the department, but if the Honourable Member knows of any, further search will be made.

#### BREAKDOWN OF SOMA WADI BUND.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they are aware that the Bund erected by Messrs. Tata and Company near Somawadi gave way on the 14th July 1925 causing much damage to life and property ?

(b) If so what is the extent of the loss to human lives, loss of cattle and loss of landed property in the neighbouring villages ?

(c) Is it the intention of Government to compensate the injured parties and if so on what basis ?

(d) What safeguards have Government laid down for the protection of the public against such accidents ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) The loss of human life was one person drowned ; loss of cattle by drowning was two ; and information regarding loss to landed property will be furnished later.

(c) and (d) The matter is engaging the attention of Government.

Mr. L. B. BHOPATKAR (Poona City) : Sir, honestly enough I cannot congratulate the Honourable the Finance Member on the budget that he presented to us the other day. To my mind, there are two prominent questions that arise for discussion, and they are : firstly,

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what has been the policy of the Government during the last 15 years? And secondly, what is exactly the financial position in which this presidency finds itself at present? I propose to deal with these two questions in order to show that the presidency has been brought very nearly to the brink of insolvency.

Taking the first question, namely, what has been the Government's policy during the last 15 years, if I am asked to describe it briefly, I would say that it has been a policy of squeezing more out of the ryot and spending more. If we look to certain figures that are given in the Blue Book we shall find that while in 1910-11 the ordinary revenue was 8 crores and 90 lakhs, the ordinary revenue during the current year is 14 crores and 13 lakhs.

So also while the expenditure in 1910-11 was 6.77 lakhs, the expenditure during the current year has been 13.57 lakhs. If we take these four figures only we shall at once see that during the last fifteen years while the revenue has increased by about 65 per cent. only, the expenditure has increased by about 100 per cent.

Now, leaving aside the ordinary growth of revenue and expenditure, and coming to extraordinary revenue and expenditure, the situation assumes a very serious and appalling aspect. We find that the Government have involved the presidency in capital commitments and other commitments to a very large extent. If we take only the debts item, we find that while in the pre-reform days the total debt commitments of the presidency stood at 10,80 lakhs only, after the establishment of the reformed Councils, on the 1st of April 1925 they increased to 38,12 lakhs; during the year 1925-26 a further debt of 6,58 lakhs was incurred and it is proposed to incur a further debt of 3,53 lakhs during the budget year. In all, Sir, during the five years of the reformed Council, the total debt of 10,80 lakhs has increased to 48,23 lakhs. On these debts, it is stated that the presidency is required to pay annually an interest to the tune of 4 crores and odd. I cannot but characterize it as a policy of reckless extravagance.

Then, when we consider the budget we are faced with a deficit of about 60 lakhs of rupees. This deficit is arrived at on the basis that the Stamp Act, will be continued during the next year. But if the Council were to throw off the Stamp Act Bill and refuse to continue the Stamp Act, we will be confronted with a further deficit of about 30 lakhs of rupees. In short, Sir, the total deficit will come to about a crore of rupees. The situation has been very nicely summed up by the honourable the Finance Secretary in his note in the Blue Book, and I need do nothing further than quote his words. It is certainly a situation which we cannot afford to brush aside lightly. He says:—

"Our existing sources of revenue will not expand to the extent required. Therefore, we must either find new sources or rigidly cut down our activities, and deprive the province of the services to which it has been accustomed."

And I wish that he has also added that we should go in for retrenchment on a large scale, and wherever possible. Further on he says:—

"There is no disputing the fact that the province must cut its cost according to the stock available."

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If that is the pronouncement of an officer who has been in close touch with the finances of this province, I should say that the only honourable and safe course for this House is to issue a mandate to the officers concerned to stop all works which are involving the presidency more and more into the mire of bankruptcy. I evidently allude to the Back Bay Reclamation Scheme and other schemes. I do not consider that the present is the occasion to have my say in full regarding the Back Bay scandal. For the present I shall content myself with saying that it is not really the Back Bay Scheme but it is the Back Bay bubble. It has almost burst, and I feel that the time will soon come when it will burst fully and completely.

After sanning carefully the budget and the speech with which it was introduced, the one impression that is sure to be left on the mind of a person like myself who comes from the mofussil and represents the mofussil interests, is that he is as it were caught between two fires. On the one hand he is squeezed dry by the Government of India under the Meston settlement, and on the other hand he is made the victim to the growing passion on the part of the provincial Government to tax him beyond his capacity. The situation is certainly one which should set every right-minded person furiously to think. The Honourable the Finance Member says that if we want to wipe off the deficit, we must go in for fresh taxation. He advises us to continue the Stamp Act, to tax more the transfer of property in the Island of Bombay, and to accept without demur the amendment of the Court-fees Act. As a responsible representative of the mofussil interests, I feel not the slightest hesitation in saying that in face of the fact that Government have embarked upon a mad career of reckless extravagance, it would be highly dangerous to put a single additional pie into the hands of either the reserved or the transferred sections of the Government. To my mind, further taxation is quite unthinkable. I am not one of those who are opposed to any additional taxation under all conditions and circumstances; but I am certainly one of those who would be opposed to it when and if the taxable capacity of the people concerned cannot admit of such a proposal. We, the citizens of this presidency, have had to pay about 25 per cent. of our total income by way of various taxes, and it is now well-nigh impossible for us to pay anything more to the State in the form of fresh taxation. Furthermore, fresh taxation cannot be resorted to when the earning capacity of the bulk of the people of the presidency has not increased even by a little during the last five years. Even the Honourable the Finance Member has frankly admitted in his budget speech that Bombay is the most heavily taxed province in India. The Honourable the Finance Member waxed eloquent over the increase that has taken place in expenditure on the nation-building departments. I have collated certain figures from the White and the Blue Books, which I wish to lay before this honourable House, with a view that it should have a clear idea as to whether any further taxation proposed should be voted for or voted down. I have taken the five departments which are generally considered as the nation-building departments. So far as the department

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of Education is concerned, while in 1910-11, the total expenditure was 47 lakhs, in 1921-22 the expenditure mounted up to 1.72 lakhs. It is from this year that the Council began its life and activities under the Reforms Act. And even though full five years have elapsed, here has taken place an increase in expenditure over this most important nation-building department only by 28 lakhs. Then, coming to the Medical department, in 1910-11, the expenditure was 16 lakhs; in 1921-22 it came up to 46 lakhs; and in 1926-27 it is 51 lakhs, *i.e.*, an increase of 5 lakhs only during the last five years. The department of Public Health tells the same sorry tale. In 1910-11 it was 7 lakhs; in 1921-22 it rose up to 28 lakhs, and during the budget year it is proposed to keep that figure stationary. As to Agriculture, which is the main stay of 80 per cent. of the population, how much is it that Government have spent? In 1910-11 they spent 8 lakhs of rupees; in 1921-22 they spent 30 lakhs; and 1926-27 they propose to spend only 31 lakhs. That is to say, during the last five years, there has been an increase in expenditure on this second most important and vital department by only a lakh of rupees. If we look to the department of industries we find that while in 1921-22 the money spent was 7 lakhs of rupees, in 1926-27 the amount that is proposed to be spent is only one lakh of rupees. To my mind, these figures clearly indicate the attitude of the Government towards the nation-building departments, and only too vividly betray the motive which must be actuating the bureaucracy in the administration of this province.

They manifest to a very large extent the callous indifference of the Government towards departments which are likely to give more sustaining power to the vast bulk of population and to increase thereby the taxable capacity of the province. Sir, I would like to give here only one out of the several instances of the prodigal spirit which has to pervade the administration of the province. The honourable House might be knowing that it has voted certain sums for the erection of buildings for the Civil Courts at Poona. I should certainly request my honourable colleagues, when they would be in Poona to attend the next session of the Council, to see those buildings once; and I can assure them that they would simply stand aghast at the massive structure before them. I feel that I should not miss this opportunity of calling upon the Honourable Minister in charge of the department concerned to furnish this House with the estimated cost and the actuals in regard to those buildings. There is one point which I desire to bring very prominently to the attention of the Government and of this House. I mean, Sir, the insistent demand, that has been made by the West Khandesh District for an enquiry into the tortures to which some persons were put by certain police officers.

**The Honourable the PRESIDENT:** The honourable member has only three minutes more.

**Mr. L. B. BHOPALKAR:** The honourable House might perhaps be knowing that at Mahanbara situated on the borders of West and East Khandesh several innocent persons were ruthlessly tortured by the police to extract confessions from them. A public meeting was held

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in this behalf calling upon Government to hold an enquiry. A non-official enquiry was instituted and held. I have gone through several affidavits and depositions in that respect, and I confess to my sense of deep indignation at the staggering revelations made therein by the tortured persons. It is really strange that though persistent demands have been made for holding an enquiry, the Government have turned a deaf ear to them. (Shame, shame.) One thing that struck me most while perusing the budget-books was the unequal and inequitable distribution of the finances of the country over the presidency. I was very sorry to read the other day the official note, published by the Honourable the General Member, stating that the Government have abandoned the Ghataprabha project for reasons which could hardly be said convincing. I was particularly amused to read therein a statement to the effect that the project has been abandoned as thereby 14 villages would be wholly submerged and 22 partly submerged and 20,000 persons would be rendered homeless and landless. I wish, the same spirit had actuated the Government before they sanctioned the acquisition of 140 villages in Mulshi Peta for the Tata Power Company. (Hear, hear.) In sooth, it is an unfair treatment which has been meted out to Karnatac; and I request my Karnatac friends to raise their voice in strong protest against this decision of Government.

The last point that I desire to urge upon the attention of Government is about the depressed classes. Sir, while the Non-Brahmins and the Muhammadans have been fighting out their own battles, unfortunately for the depressed classes, there is nobody here powerful enough to press their just claims. As a matter of fact, no adequate provision even is made for them about such a fundamental of life as water. The honourable House might have noticed the equivocal way in which some of my questions in this respect were answered on the first day by such replies as "No complaints have been received. There is no inconvenience caused".

The Honourable the PRESIDENT: I am sorry, I cannot allow the honourable member any more time.

The Honourable Sir GHULAM HUSSAIN: Sir, I must first congratulate the honourable member, the leader of the Swaraj party, and other honourable members of that party on breaking their vow of silence, and I welcome them to their duties. I must assure them, Sir, and that is my opinion, at least, that without their lively speeches, the proceedings of the Council seemed dull. I am, at the same time, very thankful to them for having spared my department but for a few casual references here and there.

Now, Sir, I will try to remove the wrong impressions that have been created in this House. In these casual references, the first complaint against my department came from my honourable friend representing Ahmedabad, the honourable member Mr. Swaminarayan. He does not like the extensions to the Council Hall at Poona. He considers it a waste of money. But honourable members of this House will agree with me as to the inadequacy of accommodation in the Council Hall. I have known



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also does not spend 33 per cent. on his establishment in regard to irrigation.

Now I come to the statements made by the honourable member the Leader of the Swaraj party. He quoted certain figures from 1910-11, and sought to convince this House that the nation-building departments have been treated very badly. I admit that every thing that is necessary for the nation-building departments has not been done, but I cannot admit that they have been treated badly. I refer the honourable members of this House to some figures. In 1910-11, our revenue was 8 crores, 93 lakhs. In 1926-27, it will be 14 crores, 44 lakhs. That is, since 1910-11, the income has increased by 5 crores and 51 lakhs. Let us examine the figures for the nation-building departments which my honourable friend the leader of the Swaraj party quoted. The first item is Education. The expenditure on Education in 1910-11 was 47 lakhs. To-day it is 2 crores and 7 lakhs, that is, 1 crore, 60 lakhs more is being spent on Education alone. Let us then take the Medical Department. In 1910-11 we spent 15 lakhs, to-day we are spending 51 lakhs, that is, 36 lakhs, more. Then Public Health. In 1910-11, we spent 6 lakhs, and to-day we are spending 28 lakhs, or 22 lakhs more. Let us then take the Agricultural Department, which the honourable member treated as a nation-building department. In 1910-11 we spent 7 lakhs, and to-day we are spending 31 lakhs, that is, 24 lakhs more. On roads and buildings under 11, Civil Works, we spent 75 lakhs in 1910-11, and to-day we are spending 1,39 lakhs out of revenue. That is, out of 5 crores, 51 lakhs, we are spending on these nation-building department 3 crores, 6 lakhs more than we did in 1910-11, that is, more than half.

Again, let us take another stage which has been referred to, namely, the period immediately preceding the reforms. The year before the reforms was 1920-21 and not 1921-22, as the reforms commenced working in 1921-22. In 1920-21, our revenue was 12,47 lakhs, and to-day our revenue is 14,41 lakhs; that is, it has increased by nearly 2 crores. Now, if honourable members refer to the figures which I have quoted in regard to the four nation-building departments, Education, Public Health, Medical and Agriculture, they will find that we have got 95 lakhs more expenditure to-day than in 1920-21. That is, out of 2 crores, we have got 95 lakhs.

Mr. H. B. SHIVDASANI : Who prepared the budget of 1921-22 ?

The Honourable Sir GHULAM HUSSAIN : We are comparing the two stages, the position in 1920-21 and the position to-day. The leader of the opposition started the argument; I am replying to it. I have shown what the position was in 1910-11, what it was in 1921-22 and what it is to-day.

Mr. P. C. JOSHI : What was the revenue in 1920-21 ?

The Honourable Sir GHULAM HUSSAIN : Rs. 12,47 lakhs, and to-day it is Rs. 14,41 lakhs—a difference of nearly 2 crores, and you can scrutinise the figures, and you will find that we have got 95 lakhs more than we



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used to get. That is, out of 2 crores, we have got nearly 1 crore. I do not at all imply that our needs are satisfied; our needs in the transferred departments are much more, and we require much more money. If the honourable members of this House want more money for the transferred departments, it is their duty to ask Government to give more. The Honourable the Finance Member may tell you that he cannot earmark any money for any particular purpose, but I am sure it will be sufficient if he will give an assurance to this House that the money will be utilised on the nation-building departments.

Then the honourable member referred to the expenditure on the courts in Poona, and described it as extravagant. I do not know whether the honourable member was one of the members of the deputation from the bar, who made a demand for increased accommodation. I can place before this House the plans and estimates and the actual expenditure that has been incurred, and show that the estimates have not been exceeded. I have nothing more to add, Sir.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Sir, before the actual remarks that I make on the budget, I should express my thanks to the Bombay Government for the assistance and co-operation that they have given in getting the suspension of cotton excise duty and, finally, we hope it will be the abolition of the excise duty shortly. Another matter for which I should like to express my thanks to the Government is for the successful attempts and a very nice case they have put before the Taxation Committee in making a very good claim for our Government getting and demanding a share from the income-tax. We are expecting the result of the Taxation Enquiry Committee shortly. We are told to-day that the reports are delayed only because they are locked up in some goods train, but as the hope has been generated in our minds by His Excellency in the speech that he made, let us hope that the efforts of the Bombay Government will end in substantial gain to this presidency, which will relieve us from all the propositions of fresh taxation which is at present troubling the minds of all the people of this presidency, which is already highly taxed according to the statement given by the Honourable the Finance Member.

Another thing which we are gratified to find is, without going into the merits of the proposals about the Royal Navy, that Bombay is going to be the headquarters of the Royal Navy. This will be a very important gain for this presidency and especially for this city. That encourages me to make one suggestion, which is a long standing grievance of the Bombay people that Bombay side has never earned the ear of the Government of India because His Excellency the Viceroy every year passes one month in Calcutta. If a similar proposal were made and if the headquarters of His Excellency the Viceroy's Government will only be kept for one month in Bombay, I am sure it will not be a small gain and the rights and claims of Bombay which have been ignored for so many years will also have a good hearing.

Now, I will refer to the reference that has been made by the Honourable the Finance Member to other countries like France, Germany and Italy.

[Mr. Lalji Narauji]

The floor of this House is not competent to discuss this and I will only be satisfied by making a small reference to the steps that America has taken, and this will be a very small quotation to this House. There is not a country on the face of the earth which is so rich as America and the quotation I am reading is from "The Economic Conditions, Government Finance and United States Securities". What does that say?

"The business situation is essentially sound, but there are signs and tendencies of which it is well to take account. The extent of building operations this year is surprising, and suggests the danger that at the present pace they may be carried beyond present needs and cause an unprofitable tie-up of capital. . . . . Rising prices, however, always stimulate speculative buying and there is a limit beyond which it cannot be safely carried on borrowed money. . . . . It is well, from time to time, to sound a warning against the excessive growth of indebtedness."

Sir, what I wanted to convey to our Finance Member is our position of indebtedness, our position of manufacturing land more than the need which has landed us in this position in which we are to-day, and he himself has admitted in his remarks that we are in a very anxious position and he even goes and makes remarks on the pessimistic ideas of the public of this place. He says in paragraph 12 of his speech that there are no adjectives and he says :

"I omit all other adjectives, for they will be supplied from other quarters, but I morely mention the figures."

But I will remind him that in the very first page in paragraph 3 he himself says :

"And although some of our more gay and light-hearted critics will no doubt bring forward some charges of misrepresentation, cunning and duplicity, I trust that the House as a whole will give us a favourable verdict,"

thereby impressing upon the House that all the criticism made outside this House and all the adjectives used are applicable to the critics of this House. But it is for this House to consider in what serious condition we are to-day. With regard to his reference to the other matters which also do not concern this House, if they remained unreplyed, I think the Honourable the Finance Member may leave this country with the satisfaction that all the remarks that he has made have been accepted by this presidency. But as a member representing the commerce of this presidency, I would like to point out to him that his remarks about currency, about the facilities of the railways that have been given to the agricultural people of this country at a cost of Rs. 200 crores, and the development of roads at a cost of Rs. 65 crores, can be replied to. But I do not think again that it is the floor of this House on which we can do so. Had he been a Member of the Central Government, these questions could have been discussed with him. But I must say one thing, that his remarks during the debate on the question of excise duty lead me to remind him that he has not failed to use adjectives which are not desirable according to his own theory. Last August the Honourable the Finance Member said that the President of the Indian Merchants' Chamber had quoted a large number of picturesque and defamatory ephithets on the question of the cotton excise duty, as also the currency question. I would remind him that what the Honourable Mr. Sethna, President of the Indian

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Merchants' Chamber, said is confirmed by all the commercial community of India by the first resolution which they have passed only few days back at the Delhi Industrial Congress. That will show him what is the feeling of the whole Indian commercial community and not only of this Presidency, which met at Delhi and unanimously passed a resolution about the currency policy of Government. I do not wish to take up the time of the House, but I will only remind the Honourable the Finance Member that those remarks are always made; they are necessary; and they are not made on behalf of one commercial community, but on behalf of the commerce of this country.

With these remarks, I will now pass on to the several conclusions to which the Honourable the Finance Member has in the course of his speech arrived, and which, I believe, are very serious. He tries to make out a case that the position of the agricultural people of this country and of this Presidency has improved very much and Government—as if it were a perfect Government—have done everything for the agricultural people by spending lakhs of money on their development and for their benefit, and he refers in his speech to two things. He says there are two things that the Government ought to do; one is the development of agriculture and the other is the development of industry. I will put to him one question. Has the loan policy, to which I will shortly refer, that the Bombay Government, during his period of office has been adopting, been productive, or has it been in the interest of the agriculturist? or has it been a speculative tendency alone? He says that the Government ought to take a certain amount of responsibility, and without some responsibility they will not make progress. I will remind him that after the introduction of the reforms, it has been competent for the Provincial Government to take up schemes of development on their own account and to raise their own loans. How this right has been utilised by the Government is clearly shown by the results that are before us. Some of the honourable members here present have made the suggestion that if this portfolio of Finance is given in charge of an Indian Member, there will be a miraculous change; but I say that so long as the constitution and so long as the system of the Government is not changed, no Indian Member will be able to change the results that will be obtained, because the Indian Member will have to carry out a policy that will be adopted by the majority of the non-Indian Members. Now, Sir, take the loan policy that has been adopted by the Honourable the Finance Member during his term of office; look at our indebtedness and compare it with that of America. Of course, we all know that America has surplus wealth, of which they do not know what to do. Whereas, what is our position? We depend on money borrowed at very high rates of interest. We have borrowed nearly Rs. 60 crores. Of course, out of this Rs. 60 crores, I will admit that Rs. 15·81 crores have been advanced to local bodies; Rs. 8·91 crores is the debt due to the Government of India for which we have to pay interest, and they have incurred a debt of Rs. 31·16 crores on the irrigation schemes, out of which Rs. 18 crores will be spent on the Sukkur Barrage, Rs. 2·91

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crores on other works, and Rs. 2,17 crores for some other works, the details of which are given in the Blue Book. The total comes to Rs. 31,16 crores. The Honourable the Finance Member has in paragraph 15 of his speech referred to this as Rs. 34 crores. I do not understand how he has arrived at this figure of Rs. 34 crores. He might argue that out of this Rs. 60 crores, Rs. 34 crores are going to be spent over the Sukkur Barrage. I do not wish to hazard any opinion about the Sukkur Barrage Scheme, but with regard to which people have now begun to entertain some doubts, and about which the Honourable the Finance Member has emphatically stated that no honourable member from Sind would go against it, but that he will welcome the scheme. Whatever it may be, I should certainly point out one thing objectionable in the remarks of the Honourable the Finance Member, in so far as they create a sort of jealousy between the two provinces, namely, Sind and the Punjab. He says that at the cost of the Sind agriculturist the people of the Punjab are going to prosper. Why should we have that feeling? Let us have the feeling that the Punjab is a part of India, and we in this House do not wish to support the theory of the Honourable the Finance Member that Sind is going to grudge the Punjab its prosperity. I do not think Sind will grudge the Punjab its prosperity, but will do everything possible for their prosperity. We all know from old history that the land in the Punjab is very fertile, but we do not know whether the land in Sind will be equally fertile, and we do not know whether the course of the flow of the river Indus will be the same as it is now but I will leave that point to be discussed by other honourable members of Sind.

According to my figures, Rs. 31,16 crores have been borrowed for agricultural purposes. The other big loan is for development, and that sum, in paragraph 9 is pointed out to be Rs. 14.38 crores, say nearly Rs. 15 crores. The grant that is proposed for development will be fully discussed at its proper time, but as the time at my disposal is limited, I will only be satisfied by still impressing upon the Honourable the General Member that the constituency which I represent are firmly of opinion that Government should be very frank with them, and they should give all the information that the public wants, which has been denied to them; I can say this from my experience of the answers to my questions on the subject only the day before yesterday, yesterday, and to-day. The answers are so disappointing, and Government seem to be determined not to give any information which will lead to any definite conclusions. We do not understand why the report that has been submitted by Sir Alexander Gibbs has been withheld from the public. However incomplete it may be, it is creating doubts, and in order to allay all these anxieties, I think it will be proper for Government to come out with the report. It is a big responsibility that the Government have undertaken against the protest of our Chamber and of the public unanimously. Government have not paid any heed to the suggestion of this House to have an executive committee in order to control the working of the Development Department. They have only appointed an advisory committee, which has been of no use whatever, and to which information was

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not supplied regularly. The advisory committee were to consider only such information as was placed before it by the Government. So much has been said about this department that it is unnecessary for me to dilate upon it. I would warn the Government that this Presidency will be brought into serious trouble over this question. I am anxious that the Honourable the General Member should know that his responsibility in this matter is very great, and if he differs from the rest of the Government, he will have to be bold enough to say that he will resign. Government must stop all the activities of this department, and an expert committee should be appointed, the independent committee which has been suggested by the majority report. In the majority report, which Government accept, it has been clearly stated that a committee of experts should be appointed, and that it should be one which will command the confidence of the public. Unless the Government do that, I think this House will be well advised in not voting a single farthing for the Development Department. I have got a mandate from my constituency to say that they are going to convene a public meeting in Bombay to which they are going to invite all the commercial bodies, both European and Indian, the Millowners' Association, and all the other public bodies. They will also invite honourable members of this House to attend the meeting, and at that meeting they will express the views that the public entertains and the fears that the public entertains about this gigantic scheme, which they fear will land them into great losses. It is a matter for satisfaction that this budget has been a budget of admission of several errors by the Honourable the Finance Member. I am glad that the Honourable the Finance Member himself has retraced his steps very quickly and stated that he was going to curtail his programme about which he spoke in such high sounding language in 1923-24 when I had to make very severe remarks. He has stated that he is going to reduce the expenditure on development from 30 crores to 17 crores. What I wish to impress upon this House is that the Government have withheld from the public information on important points. Of course the Government of Sir George Lloyd has landed this Presidency in a great financial crisis and it is very difficult to extricate ourselves now from this position. It has involved this Presidency in very heavy financial liabilities and that is the big problem before the House to find a solution for it. I feel I shall not be able to quote all the figures I have within this short space of 20 minutes. From the meagre information supplied it is clear that 53 lakhs can be realised on the estimate of Rs. 20 per square yard for 53.68 acres of military land which will be shortly ready. They have supplied me with figures in reply to my questions as to the cost of filling the area of 53.68 acres of military land with murum as well as by dredging. The total cost will come to 25 lakhs for 53 acres. If they have got the figures in their hands why should they not have supplied to the public those figures, if the figures given by the Majority Report are not correct? His Excellency very rightly observed that no question of prestige would come in their way if they came to the conclusion that they should abandon the scheme.

The Honourable the PRESIDENT. The honourable member has only three minutes more.

The Honourable Mr. COWASJI JEHANHIR : I do not quite follow the figures quoted by the honourable member.

Mr. LALJI NARANJI : I shall give the figures.

The Honourable the PRESIDENT : The honourable member can give the figures within his time. The time is so limited that I cannot make any exception in the case of any other honourable member except the Honourable Leader of the House when he gives his reply.

Mr. LALJI NARANJI : Government now propose a taxation to meet the deficit of 60 lakhs. I think this House must oppose any taxation proposal from Government. They are hopeful that the Government of India will consider the claims of this presidency. Why should we still pay such a heavy contribution to the Government of India ? The Government of India gave us relief to the extent of 22 lakhs last year and there are still hopes that they will consider our claims on account of the unification of stamp duty. From the recommendations of the Taxation Enquiry Committee we may hope to get a share of the income-tax revenue. Where is the necessity to rush through this taxation bill ? Even the Honourable the Finance Member stated that even private companies should be prepared to face deficits. Let us face the deficit and keep it outstanding. What is the use of clearing our deficit now by further taxation ? Why should we fear a deficit ? Once a taxation is introduced it is very difficult to remove it afterwards. I strongly advise this House not to support the finance bill. I will urge on the Honourable the Finance Member not to press the finance bills and leave it to the efforts of his successor to get relief from the Government of India and relieve us from taxation.

Dr. R. P. PARANJPYE (Bombay University) : Sir, I am sorry it is impossible to congratulate the Honourable the Finance Member, who had been my colleague in Government for nearly three years, on this last budget that he has presented to this Council. I have not had time to read the papers put into my hands, and I now propose to make a few general observations on the various points which have been mentioned by several honourable members and which have struck me on a cursory reading of the budget.

This budget may, for shortness, be called a development budget ; and there is the shadow of the development cast over the whole presidency. The cynic has said that there are three kinds of lies : lies, white lies and statistics. I should like just to alter it slightly and say : lies, white lies and expert advice. We have started on these various schemes on what we call expert advice. That expert advice has landed us in all these difficulties. I know quite well that occasionally even experts are liable to err. But what the Council would like most is to be assured that this is an honest error and not a deliberate error. I must give expression to the suppressed feeling of the general public and of the honourable members of this House that there is at least a case made out for going very thoroughly into all these transactions. If we look at this Development Department

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which is landing this presidency in such a great trouble, we find that the scheme was launched in very great hurry though with great flourish of trumpets. So far as I know even the orders were given just before the reformed Council came into being. (Honourable Members: Hear, hear). Then, Sir, when the question of transferred and reserved departments came up, some of us thought that the Development Department would be part of the Public Works Department which is a transferred subject. We were told that Ministers would be utterly incapable of managing such a big department as the Development. Now, we have seen the results of the administration of this reserved department by the Executive Council. One thing however I must say in congratulating the honourable members on the Ministerial benches that the whole discredit of this bungle does not attach to them but it only attaches to the reserved half of Government. Sir, I have mentioned that, before this Council can come to any definite conclusion about the various taxation proposals that have been put forward, the whole public and this Council must be convinced that there has been no leakage of a dishonest nature in this business. Now, Sir, what are we to do? I would give a fair proposal to the members of Government. If they are satisfied that all this has been honest blundering, let them prove it and let them appoint a committee in consultation with the leaders of non-official benches. I do not insist that that committee should have a personnel of a particular nature. I would only say that if Government is prepared to lay their whole cards before a committee consisting of a High Court Judge, an eminent engineer like Sir M. Visweshwara Ayyah and an eminent businessman like Sir Purshottamdas, these three people would be able to come to a conclusion that the blunder has been real and honest and that there has not been any dishonesty. Then I think this Council will try to make the best of a bad job and we can start afresh. The whole history of this development has been such however as to give, if not reasonable at least some plausible grounds for suspicion. We have had experts on very high commission, and we do not know how far those experts have had anything to do with this great loss to us. *Prima facie*, some things, which even an ordinary man would think the experts should have considered, were left unconsidered. I am tempted to compare the experts who received very fat fees and commissions to a doctor who sends in a bill even though the patient has died. People may grumble, but the fee is legal. But if at the same time, the doctor has had some collusion with the people who supplied the medicine then we would say that the doctor does not deserve all the money he has got. Now, in the same way, I would like to know, at any rate the people would like to know, whether any of this money has disappeared in this form, and think that it requires complete investigation. If there is only honest mistake, as I said, well, we shall try to make the best of a bad job. Everybody makes mistakes. But if a proposal of that nature is not accepted by Government, I think the Council would be fully justified in sitting very tight on the powers they have and in throwing out any taxation proposals that Government might make.

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I do not quite agree with some of the members, particularly the honourable member from the district of Poona who said that we ought not to go in for any except safe investments and small safe schemes. It is only bodies like Governments that can go in for big schemes that cannot be taken in hand by private agencies. If the whole scheme is a success, the credit of it will go to Government, but if the scheme is a failure the discredit of it must also lie on the Government. Therefore, the responsibility for full consideration of these schemes is with Government, but it does not appear to me that there has been full consideration of all these schemes when Government took them in hand. Particularly the furious and frantic haste with which these schemes were put into operation leaves some ground for suspicion. The question of development is going to come up in detail when we discuss the demands for grants, and I do not wish to speak any more about it now.

I should like to proceed to another point, and that is about the contention made by the Honourable the Finance Member that the percentage increase of expenditure in the reserved departments has been much smaller than the percentage increase in the transferred departments. He has quoted with approval a remark made by the Honourable Mr. Cadell in 1921 that while our revenues in the last ten years has expanded from 8 to 14½ crores, i.e., 80 per cent., our expenditure on Education during that period has increased by 100 per cent., on Medical and Public Health by 170 per cent. and on Agriculture by 190 per cent., and that these figures clearly demonstrate that we have been spending proportionately much more on the transferred departments, or the so-called nation-building activities of the Government. I wish to give a quietus to this contention, because it can easily be seen that in the early stages of any Government, departments like the Police and Law and Justice must first of all be taken in hand, and when these departments are put on a fair footing, then and then alone, those other departments of Education, Public Health, etc., are generally taken in hand by Government, and therefore you cannot compare the percentage increase on these. It is quite possible and it is quite feasible that the Education Department can do very well with three times as much money as it has got at present. But is it contended that the departments of Law and Justice and Police can bear to have so much money? Do you want a policeman for every person at his back, just as we want a school at every village? I do think that the contention that the percentage increase on these departments should remain the same is entirely unjustified. I have seen occasional advertisements by some schools that the percentage of passes in their school is cent. per cent. But when you come to look at the figures, you will find that they had sent only one person for examination and that one person had passed, and hence their claim that 100 per cent. have passed. There may be other schools who sent 300 persons for examination and of those 60 per cent. only might have passed. Do you think that the school which sent one person and had a cent. per cent. result in examination is better than the other school which sent 300 and had a 60 per cent. result in the examination?



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Therefore, these percentages are entirely fallacious. When departments are going to be newly started, they must obviously increase at a much faster rate. When you compare the percentage increase, you must take them from the stage at which they have all developed on an approximately equal footing. It is only then that you can compare the corresponding percentages. That is as regards the percentages that are trotted out before us. Take for instance, the case of Agriculture. We are told that the expenditure on Agriculture has increased by 190 per cent. After all, it was only 10 lakhs in the beginning, and it has increased to 30 lakhs. Now, you cannot consider 30 lakhs expenditure on a department, on which the very life of the people depends, as quite sufficient. I think, therefore that 190 per cent. increase is an entirely fallacious figure. If you compare the present figures with the figures of the years when the Agricultural Department was not in existence, you could say that the percentage increase is infinite. As a matter of fact the reserve departments are approximately at their full strength. No Government could really go on unless the police is fairly efficient and the law courts and the administration of justice is fairly efficient. And we can only say that we would like to keep them at that stage of efficiency instead of trying to achieve perfection in efficiency and allowing other departments to get on as best they may.

Sir, I do not wish to speak in detail about many other departments, but I would like to make just one or two remarks about the educational budget. There is hardly anything to criticise in the budget placed before us, because the number of new items is exceedingly small. I do not blame my honourable friend the Minister of Education, because the amount of money that he has at his disposal is not very large. But I would point out to him one point which he has obviously missed. When at the end of the year 1922 the entertainments tax was passed, it was given as a definite undertaking by Government that the proceeds of this entertainments tax were to be used for the purpose of the extension of primary education. (An Honourable Member: Who gave that undertaking?) I gave that undertaking on behalf of Government. It was stated in the preamble and was explained in the statement of objects and reasons of that bill that the entertainments tax was for the purpose of making available the money required for the extension of primary education and to carry that scheme of primary education through. Of course according to the canons of financial purity the definite ear-marking of that tax was not permissible. That was the advice given us and we accepted that advice, and believed that the solemn undertaking given in the Council would be acted up to. We were told that at least *pro forma* accounts of the entertainments tax would be kept. But I do not find anywhere *pro forma* accounts of the entertainments tax in the budget. At any rate I should have thought that the education budget should have, at least, increased by the amount of recoveries from the Entertainments Tax and I do not know whether this point has been taken into consideration. That tax has only been justified on the ground of ear-marking that revenue for that department.

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I do not know whether the Primary Education Act has been brought into force. Really speaking the amount of the Entertainment Duty Tax should have been used for primary education. But before that Act could really be brought into force there are a number of things which should have been done in anticipation of putting that Act into operation. Thus the school buildings and other similar equipment could be easily got ready even before the Act is brought into operation. I can give an illustration of it in district which in anticipation of Government putting into operation this Act have already done something. Those boards have got their increased resources and I know at least one board which has recovered the moneys and which money is at present lying in bank at interest in order that it might be useful for future, when the Act is brought into operation. I should have thought that the recoveries of the Entertainment Duty Tax should have been taken by the Educational Department for its own use.

I am only sure that such a long delay has taken place in putting into operation the Primary Education Act. So far as I know more than two years ago just before this Council came into existence, practically all the rules were ready and only a little polishing of those rules was required; and it was hoped that that Act could be put into operation at least by the beginning of July 1924. But I am sorry that we cannot see anything done. We were told that Government were waiting for the constitution of the new local boards. I do not know that that was absolutely necessary. It was not absolutely necessary for the new school boards to come into existence before the District Local Boards Act could be put into operation. It is sometimes suggested that it was for the furtherance of certain communal interest that the Act could not be brought into operation for the new boards were to be elected according to the new franchise. I do not want to enter into communal considerations. But I would only point out that it is three years since the Compulsory Education Act has been passed and that it has still not been brought into operation.

We have got this deficit budget. Government, therefore, must do everything that they possibly can to cut their coat according to their cloth and carry out retrenchment. Of course let it not be a kind of inverted retrenchment an example of which I will give here. I was just going to mention that in one of the pages of this Blue Book, it is suggested that the post of one Deputy Inspector General of Police is going to be retrenched. And we were told with a great show of reasoning that although there was going to be retrenchment, as a matter of fact on account of their doing away with this one post they have already got to spend more in other directions. I call this a kind of inverted retrenchment because the doing away of a post has caused a greater expenditure. Well, sir, I know quite well that in a budget of 14 crores there is ample room for retrenchment. I know that every Government has a tendency to spend money and to go on as it did before. We were told that the impetus given by the Retrenchment Committee four years ago has now exhausted itself. Hence it is time that a renewed impulse should be given in the direction of retrenchment. I do not wish to be unreasonable

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but in considering their proposals about this development scandal, I hope that Government will give their due consideration to the various points made in this House

Mr G WILES Sir, at the outset, I wish to get rid of one small point, which may have been the cause of some misapprehension. In paragraph nine of what I am told is known in some quarters as my impertinent lecture, I ventured to express an opinion that retrenchment could not continue to be made at the expense of one side of Government only. That remark has been interpreted by an honourable member who I believe comes from Sholapur to mean that some deep political motive must lie behind these words. I am only a humble cobbler in the Finance Department, Sir, and I do not leave my last, and the House knows me well enough to realize that any statement that I may have made in this budget is merely from the finance point of view, and contains no ulterior motive whatever. In the short time at my disposal, I shall not be able to go into all the financial conundrums which have been raised, but I will try to deal with as many as I can in the time. I will omit all reference to development, or to education, they are in better hands than mine.

I wish, in the first place, to repeat the protest which I have to make every year against the aspersions which have been thrown upon my hard worked staff that they are again late in delivering the budget to the Council. Honourable members are aware that the Council Rules under which we work prescribe that the budget shall be sent out from the Council office 14 days before the demands for individual grants are made. By dint of most severe devotion to duty working night and day my staff and the press have managed to issue this volume on the 9th of February. The press were actually working all night till four in the morning in order to do this. The honourable member for Kana has complained that the budget did not reach him till 10 days before he left his home. It was therefore in his hands 13 days before the budget was presented and 21 days before the demands for individual grants will be stated. What a pleasant surprise it would have been if the honourable member, instead of his habitual grumble, had thanked my department for giving him the books 5 days before they were due. I suppose it was because he had only 10 days to study the budget that he has accused Government of trying to conceal the figures of the reserved and transferred departments. He did not have time to discover that there are no longer any demands which are partly reserved and partly transferred. I will ask the House whether this reveals any desire to conceal anything.

Mr P G JOSHI There is one demand at page 26 which is partly reserved and partly transferred.

Mr G WILES I think the honourable member refers to the Public Works Department. That is the exception which proves the rule. In every other instance a separate demand is being made for transferred and reserved items. But the one point on which I am in agreement with the honourable member is with regard to his suggestion about the Finance Committee. The House will remember that when Government in the Finance Department came to this House and asked them to agree

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to the appointment of a Finance Committee the honourable member was the first among those who stood up to protest against this Finance Committee on the ground that it was an entire farce. He has now completely changed his views. I am glad to see it. The House will remember that when the Finance Department shortly after the appointment of the Finance Committee asked for the delegation of certain powers to the Committee it was ruled that the House had no power to delegate. I think too far to deprecate an increase of powers to the Finance Committee. But I must then be converted, as in the Government of India, and become a part of the Government into a standing Finance Committee. I can't protest, but that is impossible. On one point the honourable member from Kanpur is labouring under a misapprehension. He refers to the House of Commons procedure. The Committee which dealt with the Budget in the House of Commons is a Committee of the whole House.

Now, the other point is that I was referring to the procedure in other countries. I was not referring to the House of Commons. It is a conservative point. I know.

Mr C. WILKS. The honourable member from Bombay, though I be able to see the position, has a false critic has also muddled up the Public Account Committee with the Finance Committee. He has cited that the Finance Committee is the only committee of the house dealing with finance. The only statutory body is not the Finance Committee but the Public Account Committee. It is the Public Account Committee which deals with the question of the Audit and Appropriation Report, and it is their duty to investigate those reports and submit to the House the results of its investigations. But this investigation has of course nothing to do with our budget figures. The actual figures are supplied by the Accountant General and there is no doubt about the accuracy of the figures. I think what the honourable member possibly had in mind was the Appropriation Report which deals with the use of the money voted by the House. The Finance Committee has nothing to do with that. It is the function of the Public Account Committee. The Finance Committee was appointed at the request of Government to assist them in explaining the budget to the Council and to give them the benefit of their advice in regard to new items. Its functions in this respect are not confined to budget time but continue throughout the year. I have already explained to the Finance Committee why they were summoned somewhat late this year. It was purely a matter of economy of time and convenience. The budget itself was not completed until early in January, and it was considered advisable to get it into print without delay. As there appears to be a general wish of the Finance Committee that they should meet at an earlier date, I have no doubt that could be arranged.

My honourable friend from Ahmedabad has drawn attention to a discrepancy, as he described it, in the honourable the Finance Member's speech and the figure in the Blue Book. He said that the honourable

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the Finance Member stated that after all reductions the commitments of the Development Department was 13 crores ; while the figure in the Blue Book was 14 crores. If the honourable member looks at the very next line of the honourable the Finance Member's speech he will find that the liability of the Development Department is stated to be 14 crores 38 lakhs inclusive of interest. The explanation is given in the speech. The figure of 13 crores referred to is exclusive of interest, while the other figure includes interest charges.

I confess I have been unable to follow the honourable member's alarming figures of interest payments. He said that we have to pay 24 per cent. of our total revenue in the form of interest. But this estimate is just above double the true figure, and at no time will the interest charges on the Sukkur Barrage go up to such an enormously large sum as 3½ crores. The total outstandings at any time during the progress of the Sukkur Barrage will be 22 crores. That is our estimate of the maximum amount of outstanding debt at any time. I would also remind the house that the payment of interest on account of the Sukkur Barrage will never be a burden on the province if the anticipations of Government are fulfilled. In less than 10 years the whole of the interest charges will be wiped off and from that time onwards the debt will be decreasing, as it will be met from the proceeds of the work itself.

The honourable member from Karachi has taken us to task for contravening the rules of the Public Works Department Code, in debiting interest to capital. He has tried to read into an administrative rule relating to *pro forma* accounts a conclusion which is not there. I have read that rule this morning again and I do not think it was ever intended to be there. Let us be content with the fact that the Government of India and the Secretary of State himself have agreed to the procedure which we are now following.

A number of honourable members have compared our budget with those of other provinces ; Bengal in particular. Bengal has been quoted as proving the incompetence of the alien administration of Bombay. In Bengal at the present moment I have no doubt the opponents of the Bengal Government are quoting Bombay as proving the incompetence of the Bengal Government. We were told that Bengal has got on very well without extra taxation. The honourable member has forgotten to tell us that Bengal has at the present moment got these taxes which we now ask you to pass. Every one of these bills has been in force for some time in Bengal. But the comparison made of taxation in Bombay and other Provinces is a difficult question which requires more time to deal with than I am allowed this morning. I will only point out that Bombay is undoubtedly the chief industrial centre of India. It is more of an industrialist province than any part of India. That undoubtedly is the cause of the high cost of living in Bombay and that again is reflected in the cost of the administration. Statistics are unfortunately inadequate but it is a fact that we do spend in Bombay on such items as education, medical relief, agriculture, irrigation, and the like at least 3½ times what they spend in Bengal. We cannot have it both ways.

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The most comforting of all the criticisms hitherto made is that of my honourable friend Mr. Soman. He said that this year's budget is not really a deficit budget, but only called so in order to deceive the House into passing taxation. I can assure the honourable member that the only reason why we call it a deficit budget is that our estimates of expenditure exceed our estimates of revenue. That our balances are at present somewhat larger than need be I freely admit. That is the reason why we propose to utilise the surplus of these balances for capital expenditure on the Sukkur Barrage instead of borrowing money from the Government of India. I would ask the house not to forget, as some press critics have forgotten that in the total figure of our balances the Famine Insurance Fund is included. The Famine Insurance Fund is a statutory liability; it is a compulsory deposit. We cannot utilise this sum for ordinary purposes of administration. That is why in the summary which I have given in the memorandum I have put the Famine Insurance Fund separately.

I do not think it can be said that the small sum of 1½ crores which we retain after making this advance to Sukkur Barrage is in excess of the requirements. In this matter we have endeavoured to comply with the views of the public as far as we considered they were consistent with safety.

On the question of the use of the famine fund, my honourable friend Mr. Soman is again, I think, under complete misapprehension. I do not wish to take away from the Honourable the Revenue Member anything that he may wish to say in explaining the position. The only thing that I want to point out is that the procedure followed in putting under 43-A the whole of the 51 lakhs was explained to the House at that time. It was never intended that the whole of the 53 lakhs should be expended without putting before the House the details of the expenditure. We then gave the House details of the intended expenditure and the balance has, in the ordinary course, gone to the Famine Fund; it has not lapsed to the ordinary balances.

It has been alleged, Sir, by other critics that we do not follow business methods in our administration. We are told we ought to see that increased wages result in reduction of costs. This criticism is of some value in that it insists on the necessity of getting more for our money. We ought to get better services for better pay. This seems reasonable criticism. It is not unreasonable to hold that, if we pay our officers better, we ought, if circumstances permit, do with fewer of them. In certain branches of Government this economy may undoubtedly be possible from time to time. But I am not sure that the criticism as a whole is not based on a radical misapprehension of the difference between a Government and a commercial firm. Commercial firms run their business on what economists call the theory of marginal returns. There are very few departments of Government to which we can apply that theory. For instance no Government can run their services on the lines of commercial firms. Government must have permanent pensionary services. It produces not goods; it produces services. The value of

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those services very often depends not only on the efficiency of the servants, but on the number of them—the distribution of them. That is to say in the case of Government the theory that mass production reduces cost is hardly applicable. There are a few well-determined departments of Government to which we can apply commercial principles, and we do, as a matter of fact, as the House knows, apply from time to time the principles of commercial accounting wherever it is possible. But can the House, by any stretch of imagination, conceive of the extension of these principles, let us say, to the Education Department or the Police Department, or the Law Courts? There are intangible benefits from these departments which we cannot put into terms of money. My time is up. I have put these facts as shortly as I can before the House for their consideration.

Dr. R. P. PARANJPYE : I want to make a personal explanation, Sir. Through a slip of tongue I mentioned police instead of excise. I wanted to refer, on page 48, to the paragraph or section referring to excise, not to police.

Mr. D. R. PATIL (East Khandesh District) : Mr. President, let me say at the outset that unless this honourable House is invested with the power of controlling the purse, we on the benches on this side have only to make suggestions and suggestions and get ourselves satisfied with those suggestions. Mr President, we are very fortunate indeed that Providence has endowed our present brilliant Honourable Finance Member with the high powers of wit and humour, and whenever he supplies us with the food of his speeches, he is always glad to mix that food with the spices of sarcasm. Mr President, he is also a very good advocate of finance and he is very skilful and tactful. But though he possesses all these qualities, I am sorry to observe that the budget he has presented this time is a very painful, sorrowful and unbusinesslike budget. Of course, he has done his best to try to give a beautiful appearance to that ugly budget because he possesses that skill. Mr. President, we have got a deficit budget. Now, what are we to do? Either we must submit to taxation or we must suggest certain retrenchments and economy if possible. Again if we don't accept taxation we must explain why not. I may say Sir, that the Government of Bombay has recklessly wasted our public money into the waters of the sea. What are the demands of the villagers? They cry for the supply of water in villages. But Government have got no money for the supply of water in villages, though they are willing to spend crores of rupees by throwing them into the waters of the sea? Now we have known what that back bay reclamation scheme is. We have been satisfied and the Government also admit their mistakes that these grandiose projects were undertaken by Government without proper and mature considerations. The poor public have to suffer for such huge blunders of the Government of Bombay. Indeed, as Dr. Paranjpye said, they may be honest blunders. Of course, I am not prepared to say that Government committed these blunders deliberately. But my charge is that, when Government want to undertake such large schemes, they have to think twice before they spend a

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single pie on such large projects. I am sorry to observe that Government in this respect had taken a leap in the dark and they did not apply their mind carefully before they undertook these big schemes. Mr. President, Government will have to admit that they have committed huge blunders so far as these Bombay affairs are concerned. Now, I want to suggest that we can effect some retrenchments and suggest some economy. If we read paragraph 27 of the speech of the Honourable the Finance Member, we find there this statement.

"It may be necessary to reduce the pay of our establishments. When we raised their salaries in 1920, we did so with the promise warning that those increases were subject to reconsideration when price fell. There has been some fall in the Index number of prices but it has not been so decisive as to lead Government to consider that the time for the reduction of salaries has yet come."

These increases I may remind the House, represented—

2½ crores for subordinate establishments,

30 lakhs for Provincial Services,

40 lakhs for Imperial Services.

say, nearly 3 crores, and this raised the total cost of public establishments from 3½ crores to 6½ crores."

May I submit here that, if really Government want to economise, cannot they effect a cut in this sum of Rs. 40 lakhs for the Imperial services? The Honourable the Finance Member has very skilfully stated in paragraph 26 of his speech that the salaries of all the superior services combined do not represent one anna in the rupee, while the salaries of the highest posts, specially selected for attack do not exceed one pie in the rupee. This is a fallacious calculation, as has been observed by my honourable friend Dr. Paranjpye, when he quoted certain figures. What is the total number and cost of these persons who are only one anna or one pie in the rupee as compared with the number and cost of subordinate establishments? Such a comparison will really determine the force of the argument of the Finance Member about the proportion of Imperial Services with that of the Subordinate Services. If Government effect a cut in the amount of Rs. 40 lakhs for the Imperial Services I believe our deficit budget will not be the present deficit budget. Again, I should have no objection if Government saved some money from the second item, namely, Rs. 30 lakhs for the Provincial services. That is also one of the ways of effecting a cut in the expenditure. Now, we know very well that we have got surplus balances. Why should we not draw upon them? We are in financial stringency, and these are the two ways which I suggest by which that stringency can be relieved. In the same way, why should not the rich people suffer to some extent? We have got Executive Councillors and Ministers. Why should not ministers offer their own suggestions that they would be satisfied with less pay? Two of the Indian Executive Councillors are rich, they are sons of wealth, and they should also be satisfied with less pay under the present state of the budget. If we look to the income-tax income of our presidency, we are grieved to note that the Meston Settlement is really most mischievous. The Government of India get 35 per cent. of the whole India income-tax and super-tax from Bombay alone. The share of income-tax we get from Government of India is very poor. The Government of Bombay have



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tried their best, as they say, to get a reasonable contribution from the Government of India in the matter of income-tax. Whatever that may be but I am sorry to observe that the language which has been used by our brilliant Finance Member respecting income-tax share is rather beggarly. I will read to the House from page 10 of his printed speech. He says :

"It is perhaps unnecessary for me to remind the House of the representations which we made on the subject to the Government of India last March. That expression of our grievance brought us a dole of 22 lakhs."

A dole of 22 lakhs ! Are we beggars ? It is our right, and when we want justice from the Government of India, why should we use such an expression as "a dole of Rs. 22 lakhs" ? The Honourable the Finance Member goes on to say :

"That is the only satisfaction, and a very insufficient satisfaction that we have yet received."

He goes on to say further :

"It is true that our citizens have accepted this position with a fatalistic indifference. They are content to leave this struggle to be carried through by the Government of Bombay, and we are gratified at this implied compliment even though it be embarrassing. This subvention of 31 crores represented 35 per cent. of the total Income Tax and Super Tax collected from All-India. Our population represents 8 per cent. of the population of British India and we paid four and a half times as much in proportion as the rest of India."

Further, he said :

"But we have reason to believe that the Government of India have now a better appreciation of our claims than before."

I do not know what sort of information the Honourable the Finance Member has come to such a conclusion upon this proposition. He goes on to say :

"and that even if their mills grind slowly, they will eventually give us justice."

Let their mills grind slowly or fast. We take our stand upon justice, and I think, as the Honourable the Finance Member has stated very rightly, "united we stand, and divided we fall". Let us all stand united and make a common complaint to the Government of India. Let us take our stand upon our claim for justice and tell them "We feed you with fat money, let us have a reasonable amount back". I hope the Honourable the Finance Member will be pleased to do that.

Unfortunately I have to say that he has put before us some taxation bills. If we accept these taxation bills, what will the Government of India think ? The Honourable the Finance Member has drawn a very good picture about the state of the Bombay Presidency. What does he say about the agriculturists ? He says :

"I submit, Sir, that the ryot is in a far better position to protect himself against misfortune than ever before. I do not know whether any member here will question the assertion that his standard of comfort has been raised very greatly ; but that is the view strongly held by men of wide experience."

I do not know whether men of wide experience compose only the official benches. He goes on to say :

"The character of his house, his clothing and his food has greatly improved."

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May I tell the Honourable the Finance Member that if he is pleased to come with me to villages, I will show him that they have no sufficient clothing, that their houses are very poor and that their food is not quite sufficient, that they live from hand to mouth, and that they are deep in debt? That is the state of the people of the Bombay Presidency. As the Honourable the Finance Member has said that we are improving and that we are becoming more prosperous, will the Government of India be pleased to give us the reasonable contribution of our income-tax? While he wants a proper share of income-tax from the Government of India he has made his case very weak by the statement of the prosperity of our presidency. He ought to have stated that taxation in Bombay was higher than that in any other province. We have been paying 35 per cent. of the whole of the income-tax that is received from the whole of India. That is the case, and therefore we must tell the Government of India that we want money from them by way of reasonable contribution. Instead of putting up a case in that form, I am sorry to say the Finance Member has spoiled the cause, and I am afraid, whatever may be the recommendations of the Taxation Committee, in the matter of share in the income-tax, the Government of India will be very slow to grant our demand when our presidency is described to be prosperous.

Now, Sir, I want to say something about the policy of Government with regard to remissions and suspensions of land revenue. It is stated that Government are very liberal in giving suspensions and remissions in the mofussil. This statement is far from correct. Because if I were to tell my honourable friends the practice that is followed in the mofussil in this respect, they will be surprised to see that these remissions and suspensions are only acts on paper. I will explain to the House as to what actually happens in practice. The first thing is for the talati to give a report to the circle inspector that the crop valuation is so many annas in the rupee; the circle inspector again sends the report to the mamlatdar about the state of the crops; the mamlatdar has to send the report to the Assistant Collector, and the Assistant Collector in his turn sends it to the Collector, and the Collector to the Commissioner, and, perhaps, the Commissioner has to send it to the Government of Bombay. Here, everybody has to care for himself. The talati fears the circle inspector, the timid circle inspector fears the mamlatdar, and the mamlatdar, as we know, fears the Assistant Collector; the Assistant Collector cares for his promotion, and therefore he has to look to the wishes of the Collector. The reports of crop valuation are, therefore, very often exaggerated. And what does the Collector do? He too has his own fears from the Commissioner. I do not know whether the Commissioner is fearless; I do not know whether he cares for the Government of Bombay or for his own conscience, but exaggerated reports are made in this way by these people; they have to care for their own bellies, they do not care for their conscience; and in this way the reports state that the state of the crops is good, and therefore there is no necessity to give suspensions and remissions. That is the state of things, and unless the rules are improved in this respect, I do not think that the poor agriculturist

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will be saved from the oppression of the various officers that is practised upon them, not intentionally but to care for their own interests. Government have appointed an anna valuation committee. What has become of that? Their report is not yet out. Then again there are the Land Revenue Assessment Committee and the Forest Committee. The Forest Committee have visited some districts and have yet to visit others. Perhaps after the Council session the Forest Committee will continue their labours and then will publish their report. The report of the Land Revenue Assessment Committee also is not yet out. I am very sorry to state that these committees are only means to prolong the demands of the people.

Mr. P. G. JOSHI : Why should not the honourable member publish the report?

Mr. D. R. PATIL : If it has been in my hands I would have published the report. As I am not the only member concerned, I cannot publish the report.

About the Land Revenue Assessment Committee I should like to say that the object of that committee was to amend section 107 of the Land Revenue Code in the light of the recommendations of the Joint Parliamentary Select Committee. When we were discussing certain questions in the committee one official member proposed that whatever principles of the revision of land assessment will be settled should be brought into force thirty years hence. I asked him if we were not to bring into operation the principles that will be settled at once, where was the necessity in appointing a committee at all? Under such a state of things I was compelled to send in a bill to amend section 107 of the Land Revenue Code. When I first sent in this bill for introducing it in the Council that was not entered in the agenda as two months' notice was not given by me. This time I have given two months' notice and I do not know what the fate of that bill will be this time. We shall know that when the time comes.

Ultimately I come to the lawyers' fees referred to by the Honourable the Finance Member in his speech. He says on page 14 of his printed speech :—

"It is commonly conceded that if justice is costly it is due more to the fees paid to lawyers than to the fees paid to courts. If the fees paid to lawyers are excessive, it is open to the public aggrieved to move the State to intervene as once it did intervene in England when the priests charged too much for their services."

I am quite at one with the Honourable the Finance Member in this view. I am myself a pleader. I know some years before the fee was 3 per cent. and that has been now increased by Government to 5 per cent. I do say in fairness to poor litigants that the fees should be reduced from 5 per cent. to 3 per cent. I strongly request Government to bring forward a bill to reduce the fees to 3 per cent. in the interest of poor litigants.

Before I conclude my speech I want to bring to the notice of Government prominently the question of the water supply of my district. Even the Collector and the Commissioner are quite aware of the scarcity of water supply in East Khandesh. As a president of the district local board I

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have applied for a special grant of one lakh for water supply. If I mistake not the Collector also agreed with me on this question. Water scarcity is very keenly felt; and if I were to describe to you the hardships of the people on that account I will really shudder. I hope Government will find it possible to give this grant for water supply which is a necessity and not a luxury, on which Government spends thousands of rupees.

Mr. S. A. SARDESAI (Bijapur District): Mr. President, I feel it impossible to congratulate the Honourable the Finance Member as he has presented this honourable House a deplorable deficit budget to the extent of 70,00,000. Although five years have come and gone since this reformed Council came into existence and although I have had the privilege of attending several sessions, I have the painful duty to declare before this honourable House that I feel as some of my honourable colleagues feel that we have not in any way advanced constitutionally, educationally, and financially or in any other respect. Increase of seats in the Provincial or Imperial Councils is not a step towards evolution. Conditions prevailing are really unworthy of the progress of the civilization. History is a cruel judge to record unbiassed facts without giving even the slightest concession to persons concerned with the historical facts. I fail to understand as to what reply I should give to my constituency, when I am asked to explain as to what I have done in this Council. I fully endorse every word that fell from the lips of my honourable colleague, I mean Dr. Paranjpye, when he spoke about the Development Department and Primary Education.

Referring to the budget of the year 1926-27 we find that the normal revenue expected is found to be 11,57,00,000 and the normal expenditure expected amounts to 15,21,00,000. So the normal deficit expected amounts to 70,00,000 out of which 10,00,000 is expected to be remitted by the Government of India as extraordinary non-recurring receipts (net); so the actual deficit expected amounts to 60,00,000 and this deficit is to be made good by the introduction of additional taxation Government Bills, viz., Bill No. I of 1926 (A Bill to amend the Indian Stamp (Bombay Amendment) Act, 1922), Bill No. III of 1926 (A Bill further to amend the Court-fees Act, 1870), Bill No. VI of 1926 (A Bill further to amend the Indian Stamp Act, 1899, in its application to the Presidency of Bombay), etc., etc.

We have got many ways of making good the deficit, namely, the Bombay Government should request the Government of India to remit Rs. 56,00,000, the amount of contribution of the Provincial Government, or attempt to reduce the expenditure by reducing the amounts assigned to civil works or we should take the deficit amount from Famine Insurance Fund which is at present 2,31,00,000. The present miscellaneous balance is 6,02,00,000. Out of this 1,94,00,000 goes to Famine Insurance and 57,00,000 to Loan balance, so the pure reserve balance is 3,52,00,000, out of which we can safely make good the present deficit amount. As the deficit can be made good out of these amounts, I don't think that there is any necessity for additional fresh taxation.

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I should like to draw the attention of Government to the nation building departments—education, medical, health, agriculture, irrigation--which require great encouragement and advancement.

In my opinion educational policy of this presidency is highly defective inasmuch as there has been made no provision for vocational education. Though one English teacher is assigned to one primary school in every district as a tentative measure they have not yet extended the system of imparting both primary and secondary education simultaneously upto third standard of English. This system will, if carried out, not only reduce educational expenses, but even shorten the duration of imparting education. Illiteracy of this presidency is highly deplorable. Literacy in males being 5 per cent. and that in females is about 1 per cent. While in civilized countries of Europe and America percentage in each case is above 90. According to the present grant-in-aid rules the municipalities and district local boards are at a great disadvantage because their capacity to tax their people is not large and because the Government grant has been reduced from 90 per cent. to 66 per cent. Before compulsion is applied an effort should be made to spread primary education on voluntary basis. There is a great need of technical education and if attempts are made to bring Sir Vishweshwarayya's Committee's report into force, this presidency will be highly benefitted.

Referring to page 164 of the White Book it is deplorable to see amounts reduced under various heads of education. Grants to non-Government arts colleges is reduced by 80,000 ; grants to non-Government professional colleges is reduced by 17,000 ; direct grants to non-Government secondary schools is reduced by 46,000 ; direct grants to non-Government primary schools is reduced by 1,75,000 ; though the grants to local bodies for primary education is increased by 3,37,000 still this sum is found to be too inadequate to meet the increased demand for free and compulsory education throughout the whole of this presidency. By starving the primary teachers they will keep that department discontented and that discontented department is not expected to give an efficient work. It is highly desirable that this university should become a teaching university instead of remaining only as an examining university following the example of Oxford and Cambridge universities. Professors and lecturers of this university can be counted on one's fingers, while the Madras and Calcutta universities have got hundreds of them. This university is too backward in point of research work and publication of books on various useful subjects.

The Toll Tax Act was passed in 1875, the object of the Government then being to build roads and to keep them in good order by the money raised out of tolls. The statement of objects and reasons then accompanying the bill provided that the Act should be in operation for 50 years, which period has expired in 1925. There seems to be no justification for the continuance of this Act henceforward. My opinion is that tolls should be abolished at least on those roads on which tolls have been levied continuously for 50 years, if not on all roads.

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Government themselves have admitted in their various official reports that the Deccan is always subject to famine and scarcities. I am not a little shocked to read the Press Note abandoning the Ghataprabha project which was intended to relieve the famine-stricken condition of a large portion of the Bijapur district. This project had received the sanction of the Secretary of State many years back and the project had been thrice revised at a great expense to the Irrigation Department. Although there are some Indian States who can utilise the Ghataprabha irrigation scheme, namely, Mudhol, Jamkhindi, Kolhapur, Sangli, Kurundwad, etc., only one State, Mudhol, is concerned with the main canal, while other States are concerned only with distribution canals. So Government can conveniently avoid making conditions with States other than Mudhol, if they find it impossible to comply with their conditions. I learn from most reliable sources that agreements were made long ago with all the States and all these States have been given a copy of the agreement.

As for the Mudhol State, I know that State agreed to allow the main canal to pass in its territory free of charge and for this concession Government is bound by the agreement to distribute water in that State at a negligibly cheaper rate than they distribute in their own territory. I think this is a most reasonable condition and Government will not find any difficulty in making terms with the Indian States. In fact, I have been told by respectable persons of those States that every one of the States is anxious to have the introduction of this canal into their States. Government can even carry the main canal through the Mudhol State only as there is no absolute necessity to extend the distribution canals in other States.

The Press Note mentions that this scheme will not bring more money to the revenues of this presidency, which in my opinion is not a fact. The Government have not been able to realise the full revenue due from the Bijapur district owing to frequent remissions and owing to the failure of rains for three years continuously—and I need not here mention the suspended revenue figures. I think, therefore, that it is the paramount duty of the Government to introduce irrigation canals in all the famine-stricken districts. Bijapur is a district in this Presidency which is noted for its scanty rainfall and which can be compared to the Bellary district in the Madras presidency in this respect. I may refer Government to the Royal Proclamation issued by Queen Victoria at the time of great Indian famine in the year 1877, which instructed her officials on famine duty to see that not a single person was starved for want of food, so that they were required to take such measures as to provide food for all famine-stricken people. The Nira Canal irrigation scheme has received the sanction of the Secretary of State long ago, and is useful in irrigating the Sholapur district and the Indi taluka in the Bijapur district. I strongly urge the Government to reconsider their decision abandoning the Ghataprabha irrigation project and hope that they will be pleased to carry out the scheme for reasons stated by me. As the loss of revenue by remissions can be made good by the completion of the scheme, I am sure

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that this scheme will prove not only to be a protective one, but also a productive one inasmuch as it will enable Government to realise the full revenue. The argument in the Press Note stating that it will not add much to Government revenues cannot hold water even for a moment. It is also mentioned in the said Press Note that this is a highly impracticable scheme, but I am ready to prove that this is a highly practicable scheme. Fortunately for us, we have got the best and most sympathetic and reasonable Governor at the helm of the administration of this presidency, who, I am sure, will never fail to carry out this project, when he is thoroughly informed of the facts. In dealing with public claims I find from the beginning of his regime that he has responded to these claims most justly and sympathetically. I feel that there never was a more sympathetic and reasonable Governor in the past. God has deputed a right Governor to mould the destinies of this presidency. I can challenge any Government officials to prove that this scheme is unworkable owing to any difficulty. I pray Lord Almighty God to inspire the Government officials to carry out this scheme.

Last time during the Poona session, two honourable members of Government assured me that they would find out some practicable irrigation scheme before the commencement of the present Session. They further assured me that they had no objection to introduce practicable irrigation schemes which would not compel Government to enter into agreement with Indian States. The Executive Engineer of the Biapur district in giving official notes to an official deputed to investigate minor irrigation schemes costing upto Rs. 1,00,000 mentions as follows:

"The Ghataprabha and Malaprabha have got a steeper fall in some places; they rush through gorges in the sand stone hills and these gorges will afford suitable sites for constructing masonry weirs to divert water into the canals on either banks. Such sites are on the Ghataprabha near Harkal about which scheme Captain Wingate highly recommended in Survey Report in 1851—and on the Malaprabha near Kolchi (10 miles below Ramdurg) Shivayogmandir, Aiholi, and Ramthal (near Kamatgi causeway). Till November there is a sufficient discharge in the river and afterwards by temporarily raising the water level as is done at Dhupdal weir, it should be possible to give water till the end of the Rabi season."

So we have got four practicable schemes which can be worked without engine power, namely, Shivayogmandir scheme, Harkal scheme, Ramthal scheme and Aiholi scheme (the last one is not mentioned in the Engineer's report). Each scheme costs about Rs. 20,00,000 and irrigates 30,000 to 35,000 acres and each scheme will not cost more than Rs. 5,000 to Rs. 6,000 for investigation purposes; because investigation requires only one Engineer, one Supervisor, and two sub-overseers and other clerks and mukadams. I urge Government to investigate these schemes immediately and carry them out if they are found to be practicable.

Mr. P. G. JOSHI: Sir, I rise to a point of order. Is it not necessary that the Government members should be on their benches? I think it is due to the honourable members that they should be here during the discussion.

The DEPUTY PRESIDENT: I do not think I can compel Government members to be present. It is entirely their look out. I can only hope that they will be present. I can say nothing further.

MR. S. A. SARDESAI · Sir, I have finished my speech, and I resume my seat.

MR. C. M. SAPTARSHI (Ahmednagar District): Sir, the heat generated by speeches connected with the development scandal has caused a hypnotic effect on the Government members. They have gone out into the lobby to dispel that feeling of hypnotism. I hope, therefore, my honourable friend from East Khandesh will not grudge them this little indulgence.

Sir, the Honourable the Finance Member has made a rambling speech in introducing the budget. I certainly expected a much better speech from the Honourable the Finance Member. Before I go into the details of the budget, I wish to say that I was struck by one thing. When I first came into the House, it was my privilege to speak as a village lawyer. I felt then that the Honourable the Finance Member had really some feeling against the lawyers then, and I feel the same thing now. As my honourable friend from East Khandesh has stated the Honourable the Finance Member has taken the trouble to go into the pages of British history six hundred years ago and to refer to a statute, and has suggested that it should be made compulsory on clients who pay more fees to the pleaders to pay as much to Government. I congratulate him on his resourcefulness and on his industriousness and I assure him on behalf of the moffussil lawyers—because I am not here on behalf of the city lawyers—as we are members of the same family in this Council, we non-officials and Government members are members of the same family—I assure him on behalf of the moffussil lawyers that we are prepared to distribute our profits between the opposite benches and ourselves if Government members bring into hotchpot the salaries and allowances as enhanced by the Lee Commission. He cannot disregard the money that goes into the pockets of his brothers on account of the Lee Commission increases and be jealous of lawyers for the fee which they earn by dint of their legal merit and talents. So much for the fling which he had against the lawyers.

Now, Sir, at this time of taking the annual stock of what they have been able to do since the inauguration of the reforms I would personally mention that the honourable member from Sholapur district was right when he said that we have progressed in our expenditure but we have not progressed in anything else. The Honourable the Finance Member is very optimistic and he says—the burden of his song is this—that the state has done all in their power to advance this Presidency, but unfortunately honourable members on this side of the House are so recalcitrant that there is no wish on their part to sanction fresh taxation and so progress is stopped. That is the burden of his song. In fact, Sir, when the reforms were inaugurated I remember in an interview that was given to the press by the Right Honourable Mr. Srinivas Shastri, he said as a liberal that much will be coming from these reforms. He said, we shall be having the separation of the executive and judicial functions and that the transferred departments will be at once developed. The nation will advance at a quick pace, and he prophesied then a number of things. I remember when the reforms were first inaugurated many



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people thought that the prophecy of that great leader would come true.

If we, Sir, take a bird's eye view of all the departments, coming to the most famous department of education what do we find? We have got both the present Minister and the past Minister of Education in this House sitting opposite to one another perhaps with opposite mentalities, and what do we find? Look at the fate of the Compulsory Education Bill which was introduced by the past Minister of Education. In my own district local board of Ahmednagar, we imposed a tax as the honourable member Dr. Paranjpye said for the last three years for the introduction of the Compulsory Education Act and I am sorry to tell this House that up till now nothing has been done by the present Minister of Education for the rural classes from which he himself comes. Then as regards technical education, this House knows that the honourable member Dr. Paranjpye when he was Minister of Education had got a committee appointed with that distinguished gentleman, Sir Vishweshwar Ayya, as Chairman. That Committee made certain recommendations and the whole report has been shelved. With regard to higher education also, Sir, nothing has been done and what is being given to us is simply the statement that in 1910 we spent so much and in 1926-27 we are spending so much. The honourable member Dr. Paranjpye is a very good mathematician and he has exposed the fallacies of the percentages which Government have given and on which they rely. However we are not concerned with the percentages at all. Do we find that this transferred department of education is really benefitted for the last six years? Have we advanced to any practical extent? To this the answer will have to be in the negative.

Similarly with regard to the Department of Agriculture, we have got an Indian Minister, we had an Indian Minister then in the person of the Honourable Sir Chunilal Mehta and what do we find? Has the department proceeded at the pace at which it ought to have proceeded? Has the education of the masses with regard to that department proceeded any further? The answer to that also must be in the negative.

Now, I come to the excise department. It is true at my instance a resolution was passed some time ago and Government did declare prohibition to be their admitted policy; but what has been done? They have now appointed a Committee to investigate into the resources of taxation. May I ask the Honourable Minister of Excise whether this Committee is going to do any more valuable work than the Taxation Enquiry Committee? I submit that the Committee is absolutely useless. It cannot do any useful work and the recommendations of the Taxation Enquiry Committee will have to be taken into consideration. This is only one way of procrastination and to delay the advent of prohibition in this presidency.

Similarly, Sir, with regard to medicine, our goal must be to get medical relief in the outside places. Have we really advanced during the last six years in the nature of giving the poor villagers medical relief? So far as the development of Ayurvedic and Unani medicine is concerned

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our presidency has absolutely done nothing. I know that Indian physicians have waited upon the honourable Minister and a reply was given to them in the true bureaucratic spirit that nothing could be done for the present. My honourable friend the Minister may well emulate the Non-Brahmin Minister of Madras who has established an Ayurvedic College in the Madras Presidency. We have advanced in all things except in the matter of expenditure. We have not got any new hospitals and dispensaries. I know in the Ahmednagar district itself from which I come, poor people have to pay one anna per day for getting treatment at the hands of local board doctors. This is the story of the most essential departments that are known as nation building departments.

As for law and justice, I have already said that the Congress has been crying hoarse for the last 40 years for the separation of executive and judicial functions and my honourable friend Rao Bahadur Chitale got a resolution passed by this House for the separation of these executive and judicial functions, but the reform is not even mentioned in this House by the Honourable the Home Member. The last Home Member, Sir Maurice Hayward, admitted that the second and third class magistrates were not at all fit to wield the powers. But still people are allowed to continue to get their justice at the hands of these criminal courts in spite of the repeated attempts of the Congress and all other political bodies to have the separation of the Executive and the judicial functions.

Now as regards land revenue, I know that the present Revenue Member did inaugurate a certain policy with regard to famine fund last year but I hear, Sir, that he is soon going to be translated to the finance portfolio. It may be a matter of personal congratulations to the honourable Sir Chunilal Mehta; but I doubt whether the policy he inaugurated last year will be successful if he leaves the department. The change will be very good for the individual, but I do submit that if the department is not going to continue into the hands of an Indian Member the policy which the Honourable Sir Chunilal has adumbrated is bound to suffer.

Government have got one reply to all these criticisms, namely, that they have not got the money. They ask, where is the money to come from? And they say that they have, therefore, to fall back upon new resources for money. They say, there are going to be no reforms without money and that if this Council is not going to vote any money, they would be unable to carry into effect any reforms. We are therefore forced into this vicious circle. There are no reforms—no advance without money. People will not sanction any money unless Government show any advance—any real reform.

The only solution of the problem therefore is that the provincial Government should demand from the Government of India their own proper share of the income-tax. I must submit with all the earnestness that I possess that any new proposals of taxation cannot be tolerated by this house on the non-official side however alluringly they may be placed before this house. The highest margin of taxation has been reached at least so far as the mofussil people are concerned. I know that this house is not going to sanction any form of taxation. Is it proper to entrust this

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Government with any more money knowing as we do the development scandal? It is impossible in a budget speech to speak without referring to it. I put one question to the official benches? If you were really responsible to this house constitutionally would you remain there a single moment in a free country? There can be no greater condemnation of the irresponsibility of this Government than this. My humble suggestion is that if the proposal for an independent committee to enquire into these matters is not accepted, we cannot support the continuance of these works. We cannot put a pie in your hands until you prove that the blunders—I hope they are not plunders—which you had committed are honest. Until you can prove this we cannot pay a pie more in the form of additional taxation or continued taxation. That is the final answer which we must give to this Government.

The honourable the Finance Member has compared in a speech full of self-complacency—he is self-satisfied that he has managed the Government with the most ideal efficiency—this Province with other countries, and says that the expenditure per head in other countries is much higher. I ask him what is the income per head in these countries? Comparing the average income in other countries with that in our country you will find that this country is too poor to afford any fresh taxation. It has reached the maximum of its taxation limit. You will find that last year the Honourable the Finance Member said that if we did not pass the bills for taxation we may not be called civilised. If you want to compare this country with other countries you must do so in all respects. They do not do that. They come with a special pleading and simply talk of the expenditure per head in other countries. That is fallacious. With these remarks I submit that the house will not be in a mood to vote for any more taxation.

The Honourable Mr. B. V. JADHAV : Mr. President, this year's budget is avowedly a deficit budget. But I think that it will not be just to charge Government with any responsibility for it. Owing to the adoption of the time-scale the expenditure year by year automatically increases. Demands for expansion in necessary services cannot be ignored. The statutory liabilities for expansion on primary education will grow year after year and larger and larger amounts will have to be provided for to meet the demands for grants to secondary education which is bound to expand. It is admitted on all hands that the provision for medical relief in the City of Bombay is very inadequate and this Council has by sanctioning the token grant last year set the seal of their approval on the medical relief scheme which was inaugurated by His Excellency in December last. All these demands require an expanded revenue and I appeal to this House to acknowledge their duty in this respect as nobody is prepared to advocate any contraction in the beneficent services.

This Council on more occasions than one have raised their voice in the condemnation of the injustice inflicted by the Meston award. This Government too have been trying their best to convince the Government of India of the justice of our claims. We got a dose of 22 lakhs last year. Although the honourable member from East Khandesh objected to that

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word "dole" I do repeat that we got a dole of 22 lakhs. We have to secure not only the remission of the Provincial contribution, but to secure the revision of the settlement also. Unless this Government is strongly backed by public opinion both in this honourable House and outside these walls it is likely that a strong impression cannot be made upon the Government of India. It is in the interest of the Presidency to secure such support from the public.

There is also another requisite to convince the Imperial Government about our right to put forward the demands. This Government have to show that they have made all efforts to balance their budget, and found it an impossible task and therefore have to knock at the door of the Imperial Government to claim their due share.

The honourable member for Nasik who addressed the house yesterday offered an explanation about the reluctance of this council to vote new taxation. I am very happy on this occasion to acknowledge that the honourable member is courageous enough to recognise his responsibility to vote in favour of additional taxation and has on some occasions boldly walked into the Government lobby. He is second to none in his desire to respect the opinions of the electorate; he has a higher sense of his duty to them. He knows that the interests of the people are not served by keeping down taxation at any cost, that taxation is necessary to secure better education, better sanitation, better protection of life and property and better development of the resources of the province. I trust that many more will come forward to follow the excellent example so courageously set to them by the honourable member who till very recently was bantered for ploughing his lonely furrow of liberalism.

Mr. C. M. SAPTARSHI : On a point of order, Sir. Is the honourable the Minister entitled to read ?

The DEPUTY PRESIDENT : As long as I refuse to see it he can go on.

The Honourable Mr. B. V. JADHAV : He suggests that the unwillingness of some of the honourable members of this House to vote for new taxation is due to two fears. The house is not certain that the whole amount will be spent upon what are called the nation-building departments and that a portion of the collection will not be diverted to the aggrandisement of the reserved half. The other is the want of complete control over the purse. The honourable member presumes that if assurances were forthcoming to the satisfaction of the members there would be no difficulty in getting the finance bills passed.

With due deference I beg to submit my doubts about the correctness of this diagnosis. The unwillingness to sanction additional taxation confronts us in the district local boards also where the members have full control over the purse and the additional taxation is to be imposed for the expansion of primary education. I have to admit that a few of the districts have recognised their obligations to levy new taxation for education and it is expected that other districts too will ere long see that it is their duty to their electors to provide beneficial services by taxing the people.

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An honourable member has compared the low taxation of Bengal with the high taxation of this presidency. In his opinion the example of Bengal is worthy of imitation. The main cause of the low level of taxation there is the permanent settlement which benefits a few zamindars at the cost of millions of agriculturists and labouring classes. The condition of the latter is certainly not better than that of their brethren in Bombay. There are grounds to believe that it is worse.

I shall give this House a few figures to illustrate the effects of this low taxation in Bengal. The average cost of educating a pupil in a primary school in 1921-22 in Bengal was Rs. 4·1 only, but in Bombay in the same year it was Rs. 18 and some annas. Our primary education cost us in 1921-22,  $4\frac{1}{2}$  times more per pupil than in Bengal. Although the population in Bengal is nearly  $2\frac{1}{2}$  times the population in Bombay, the total expenditure on primary education there was only 45 lakhs, and here in the same year it was 1 crore 25 lakhs. This works out at 1 anna 6 pies per head of population in Bengal, while the same proportion for Bombay is more than 10 annas. No wonder that only 52·1 boys per 1,000 of the male population attended primary schools in Bengal.

In secondary education, too, Bombay spent Rs. 68·1 per pupil against Rs. 30·3 in Bengal.

The low taxation in Bengal has entailed on the province a low standard of living. One can easily imagine what the salary of a vernacular teacher must be when the average annual cost per pupil is only Rs. 4·1. In 1921-22 the minimum salary was probably not over Rs. 10. Is this an example to be copied by Bombay? I am quite sure that the reply to this question in this House will be an emphatic "No".

Some of the honourable members have raised the question of the contribution to the Bombay Corporation. A difference has arisen in the matter of interpretation of a letter. The legal advisers of Government say that the Government interpretation is right and the legal advisers of the Corporation support the view of that body. Government will have to accept the liability to pay 50 per cent. of the additional expenditure on compulsory education if the Corporation wish to take advantage of the Act of 1923. But then the question of control will arise. In order to avoid this vexed question which may lead to friction hereafter, Government offered to the municipality the proceeds of the tax on transfer of property in Bombay. It was admitted by the Municipal Commissioner and others that the offer of Government was a generous and fair one; but the Corporation rejected it and demanded contribution from Government from provincial revenue. Government is, therefore, obliged to propose this taxation and to credit the proceeds to the provincial revenue, and, as is desired by the Corporation, the educational grant to the Corporation of Bombay will be paid out of the provincial revenue thus strengthened.

Some of the honourable members here, Sir, have said something about the delay that has been caused in bringing into operation the Primary Education Act. As a preliminary step, a committee was appointed and after their report was received a bill was drafted and it became law

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early in 1923. This Act has provided certain machinery for securing expansion of primary education on voluntary basis and also by compulsion. The rate of progress will depend upon the zeal and energy of the machinery.

Under departmental control education was too much centralised. The population of this province is varied in religion, customs, past history, civilisation, climate, seasons, agricultural operations, commercial and industrial activities, and in many other ways. But the department insisted upon uniformity in syllabus, in text books, in examinations and in other matters. The books were generally first written in English and then translated.

Mr. B. G. PAHALAJANI : Who was the head of the department that insisted on it, the Education Minister or the Director of Public Instruction ?

The Honourable Mr. B. V. JADHAV : Well, that has been the practice of old. It was the former practice, not now ; and steps are being taken to amend matters. The books were translated into the vernaculars of the different provinces from Sind to Karwar. These were certainly unsuitable to the depressed classes and hill tribes such as the Bhils and the Katkaris, and there is no wonder that the efforts of Government in spreading education among the backward communities have not attained that amount of success which they deserved. The obvious remedy was to give autonomy to the various districts in matters of primary education. The local authorities were given the right of self-determination. They can determine the pace of progress in education and they can have their own text books and prescribe their own curriculum.

The drafting of rules took some time and some of the districts asked Government to postpone transfer of control till the new elections took place. The elections in all districts could not be held at once and therefore the transfer of control is being gradually effected. The transfer cannot be forced as it is evident that a horse can be taken to water but none can make him drink and many attempts are being made by some people to induce the district local boards not to take over control. The Act has provided the machinery ; the Act offers the control to the district local boards ; but the Act is powerless to compel district local boards to take over charge.

Mr. P. G. JOSHI : Why not amend it ?

The Honourable Mr. B. V. JADHAV : Well, it will be amended when necessary. Government have found that they can pull on with the present Act and many of the districts, as I shall presently show, have been working under it.

Under the Act Government have promised to continue to pay the sums they were spending on primary education in each district and have also promised to pay not less than two-thirds of the additional expenditure that will be incurred in the expansion of primary education with or without compulsion. Certain sources of revenue by local taxation are available to the district local boards.

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It is found that the districts in which education has much advanced are not so keen to take over control as the districts which are decidedly backward in literacy. The Central, Southern and Bombay Divisions and Sind are enthusiastic over the scheme and have taken over control or will shortly do so. Even before the control could be transferred some districts had levied an additional anna local cess on the local revenue and some had actually been collecting it.

The districts of Satara, Ahmednagar, East Khandesh and Belgaum afford instances in point. The first two districts are proverbially poor, and their people swell the ranks of the labouring classes in Bombay and other industrial centres. Ahmednagar is noted for its famines. On an average, they have to face three lean years out of five, but they did not plead poverty. They realised that the new Act afforded them opportunities to shape their own future, and they have earnestly set to work. The Act is many times condemned as clumsily drafted, and it is stated that the rules are badly drawn. I do admit that they are not models of perfection and that there are certain defects, but I would earnestly call upon the districts to give the Act a fair trial. Government have always been sympathetic and have been very solicitous to help the district local boards to take control and carry on their own education.

The Honourable the PRESIDENT: The Honourable Minister has three minutes more.

The Honourable Mr. B. V. JADHAV: The amendment of the Act will certainly be undertaken in the light of the experience that we get. But I do place before the House the fact that the Act and the rules as they are at present are not unworkable, and those who have got the will to work them will see that very good work can be done. I can point out the instance of Satara. They have already opened no less than 323 new schools and given 300 assistants to old schools where the number of students had increased. They have thus engaged 623 new teachers, and provided for the education of 18,000 boys. Previous to the transfer, the number of boys under instruction was 15,000, and within the short space of one year there has been an increase of 36 per cent. This House will admit that the performance of the school board of Satara is worthy of honourable mention, and it is very creditable to its chairman, my honourable friend Khan Bahadur Cooper, the member for Satara district.

As for medical relief, I need not say anything on this occasion, because I shall take the opportunity of placing my views before the House when the grants are being discussed. But I beg leave of this House to refer to the point raised by my honourable friend Dr. Paranjpye about the Entertainments Duty. The proceeds of the Entertainments Tax in 1924-25 were Rs. 9,09,000; in 1925-26 it was Rs. 8,05,000; and for 1926-27 it has been put down at Rs. 7,23,000. It will be seen that the revenue from that source is decreasing.

Dr. R. P. PARANJPYE: Don't you claim anything from the Totalisator Tax, on account of which the admission fees to the race-course were lowered?

The Honourable Mr. B. V. JADHAV : A due proportion will be claimed, but then the expenditure on primary education.....

Mr. B. G. PAHALAJANI : Is it not the agreement that the whole of the Entertainments Tax should be devoted to primary education ?

The Honourable Mr. B. V. JADHAV : Yes.

Mr. B. G. PAHALAJANI : How then does the Honourable Minister say that a due proportion of the totalisator tax will be claimed ?

The Honourable Mr. B. V. JADHAV : I do not think that the tax levied on the totalisator is really claimable under the old promise. Under that agreement, only the admission tax is claimable ; formerly it was 50 per cent., but now it has been reduced to 25 per cent. Now of course we can claim twice the admission fees which are collected at the gate to the race-course.

Mr. B. G. PAHALAJANI : Government has accepted.....

The Honourable the PRESIDENT : These interruptions cannot be allowed, because the Honourable Minister has been warned that he had only three minutes left. I do not think he has any more time left now.

The Honourable Mr. B. V. JADHAV : I shall just say that the expenditure in 1925-26 was Rs. 1,08,00,000 ; in 1926-27 it is Rs. 1,25,00,000, that is an increase of Rs. 17 lakhs, and the House will see that the proceeds of the Entertainments Tax never exceeded Rs. 9 lakhs. So, as matter of fact, there is an increase of expenditure of Rs. 17 lakhs over the previous year, the proceeds of the Entertainments Tax have been duly accounted for and have been used for the expansion of primary education.

Mr. W. S. MUKADAM (Panch Mahals District) : Sir, this is the last budget of the second reformed Council of this presidency. It is a decided fact that this is the last budget framed and submitted by this Honourable Finance Member. Next time, this Honourable Finance Member will not submit the budget before this Council, and it may perhaps so happen that I may not be returned by my constituency and I may not be in this Council to criticise it. Thinking, Sir, that this is the last opportunity to express my views on the financial position of this province and to criticise the defective administration of this presidency, I will not be shy and modest. (Honourable Members : Hear, hear.) My constituency, Sir, wants me to tell the Government the plain truth, even if it is bitter, sour, or pungent. I have carried out the mandate of my constituency up till now to the best of my ability, and I will do it in future, as long as I represent them in this Council.

According to this wretched constitution of this Government, and when we Swarajists are in a hopeless minority, we, non-officials, with divisions and sub-divisions amongst ourselves, can do absolutely nothing else but expose the Government. The Honourable the Finance Member, the other day, in his speech, expressed that "United we stand, divided we fall". I see, Sir, the truth of this proverb before my eyes. We see the Government standing on our chest, as they are united, and we are fallen



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to the ground as we are divided. I hope and wish the Almighty will give us now sufficient wisdom to unite and stand erect.

According to my view, Sir, it will be nothing else but simple flattery if I congratulate the Honourable the Finance Member for submitting this deficit budget. I admit, Sir, that it will be sheer injustice on my part if I do not admire the ability, the tact and diplomacy of the Finance Member. While criticising the budget and the administration in general, one fact should be borne in mind, that the Honourable the Finance Member is the ablest man. He is an expert in artistically arranging and exhibiting figures, and in short, I may say that he can outbeat any juggler in the art of figure jugglery. When my friends in the Panch Mahals have asked for my honest opinion about the ability and capacity of the Ministers and Members of the Executive Council, I told them several times about the Finance Member, that he is able enough to govern the head of the Government even. He is the strongest pillar of the Bombay bureaucracy. While admiring him I know that I am narrating the facts, but it gives me great pain to say that all his virtues are used to make the bureaucracy of Bombay more turbulent. His brilliant talents, his sharp intelligence and his extraordinary cool-headedness are all used against us to stiffen the silver shackles of our slavery.

Sir, under the present circumstances, however able and intelligent the officer may be, I am sure his intelligence and ability will not prove beneficial to the people as long as the present bureaucratic government is not done away with. The best use of such men can only be made when complete swarajya is given or at least full provincial autonomy is granted.

Before criticising the financial position of the presidency I will put before this honourable House how the Finance Committee is treated by Government this time. The Finance Committee has been reduced to a mere farce this time. I suppose the Finance Committee is expected to advise the Government in financial matters. This time the meeting of the Finance Committee was called on the 18th February 1926.....

Mr. N. E. NAVLE: Is the honourable member in order in referring to what happened in the Finance Committee?

The Honourable the PRESIDENT: The honourable member has merely stated that a meeting of the Finance Committee was called on the 18th instant. I am carefully listening to the speech especially in view of the flowery language in which it has been written.

Mr. W. S. MUKADAM: This meeting was called on the 18th February 1926 and it was not for taking the advice of the members but to complete the final ceremony of the budget. If Government desire to treat the Finance Committee in this fashion, in the same spirit, in the future, it is better for Government and the Council to abolish the Finance Committee altogether. This sort of spirit.....

The Honourable the PRESIDENT: The honourable member ought to have taken note of the explanation given by the honourable member the Finance Secretary. The honourable member the Finance Secretary has stated that he regretted the fact that the meeting was called only two

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days before the sessions and that he would take care to see that in future Government would call the meeting earlier if so desired.

Mr. W. S. MUKADAM : That is for the future.

The Honourable the PRESIDENT : He has expressed his regret. The honourable member ought to take note of the sentiments to which he gave expression in his speech. The honourable member can criticise it of course, and I do not want to stop it. But what I want to impress on him is that he should take note of the explanation given by the Honourable Member the Finance Secretary.

Mr. W. S. MUKADAM : I take note of it and I hope Government will be wiser enough next time so far at least as this point is concerned.

Sir, if we look to the budget we will find that certain figures are unnecessary and should be abolished. But they will be criticised at length when demands for grants will be made. We were anxiously eager to see certain items at least in this last budget. So far as language is concerned, the liberal Government of this presidency are in the habit of talking a good deal of the oppressed, the suppressed and the depressed ; but I see from the budget to my utter surprise that no satisfactory provision is made for their uplift. Government are eager to take the cheap credit of being their saviours and "Mabap" without doing sufficient things for them. Sir, this is the age and time when mere talk of their uplift will give no credit to the Government.

Sir, is it not a matter of great regret and shame that not a single farthing is demanded for the uplift of the Bhils whose population is nearly 18 lakhs in this presidency ? Sir, the time has come for this Government to spend lakhs and lakhs on the uplift of the aboriginal tribes of this province. The progress of our civilization will be measured and marked by the work we do and the troubles we take for bettering the conditions of the Bhils oppressed by Government servants,—suppressed by the Shethias—and thereby depressed themselves. Government have neither created an institution for their uplift nor have they cared to help the non-official one. There is only one well-recognised institution called "The Bhil Seva Mandal of Panch Mahals", doing constructive work for the uplift of the Bhils under the guidance and leadership of that old energetic and sober patriot of Gujarat, I mean Mr. Thakar, popularly known as Thakar Bapa of the Servants of India Society. If the Government is at all anxious for the uplift of the Bhils, they ought to help the Bhil Seva Mandal in various ways. Sir, this honourable House will be sorry to hear that instead of help the local officials of the Panch Mahals have tried their level best to hamper the progress and obstruct the work of this useful institution. The uplift of the aboriginal tribes, Sir, is the work of humanity and it must be helped by Government.

With great regret, Sir, I have seen that no sufficient and satisfactory provision is made in the budget for the encouragement of village panchayats. Village panchayats, Sir, are the back-bones of swaraj or self-government. Village panchayats are institutions to prepare the people to govern themselves. One, who has India's good at heart, will

[Mr. W. S. Mukadam]

not connive at these things. I hope village panchayats will not be neglected any longer as it has been done upto now. I am sure that Government will see their way to make a special satisfactory provision in the budget somewhere to encourage village panchayat institutions in this presidency.

To-day the burning question before the eyes of the youths is the question of physical education. This question, Sir, is neglected long since in this presidency. I know that the Honourable Minister for Education is very keen in the matter. I know he is eager and prepared to do something in this direction. This budget has disappointed me on this point too. It is the misfortune of the people that no definite proposal is coming forth in this matter of physical education in this budget. To-day, Sir, we repent for our negligence in the past but let us be wiser and not forget the future. Let us be prepared for the present which will show us a mighty future. The time has come fortunately or unfortunately when we should divert our energies towards this long neglected subject. I am sure some new scheme for the development of physical education is under contemplation of the Honourable Minister for Education and I hope it will see the light of the day before this Council is dissolved and we are dispersed.

I now touch, Sir, the most important item of this budget. I touch it last but touch it with every force and vigour at my command and that is the item of Development Department and the Back Bay Reclamation. The report of the committee and the minute of dissent of the minority have disclosed many things. The confidential curtain is torn to some extent and we see before our eyes what has actually happened. Unfortunately this House has no right to bring to book all the people concerned in this sorry affair; otherwise I would have moved for the prosecution of all from top to bottom. It seems that the Government still want to shield the situation for the sake of their prestige. If the Honourable the General Member is not annoyed I will frankly say that in the matter of the Development Department the prestige of the Government is gone. It is impossible, Sir, to reclaim it though they can with greatest difficulties reclaim lands from the sea. The question of the Development Department ceases to be a Bombay question now. This has become the question of the whole of the presidency. On the decision of this important question the prestige of the non-official side depends. Sir, the actions of the Government of Sir George Lloyd, specially in the matter of this Development Department, can only be tolerated in India under this constitution. It is our misfortune that we have to work under this defective constitution. In England it is the right and privilege of the House of Commons to impeach and the right of the House of Lords to try. As the power of impeaching any public servant for his misconduct is not granted to us we are helpless. We cannot impeach any one though we desire to do so. Under the present circumstances I request Government very seriously and sincerely to request the Government of India to grant sanction for the prosecution of Sir George Lloyd who is at the bottom of this unworthy affair. If request is seriously

[Mr. W. S. Mukadam]

made I am sure it will be granted. I humbly suggest to Government to spend a few thousands more for bringing out the truth. A special commission should be appointed and an inquiry should be made in a shed specially erected for this purpose on a prominent plot of Back Bay Reclamation. Sir, it is not an easy affair; it is a serious matter. The English nation is still alive and I am sure, Sir, even the bones of that great man Edmond Burke will bawl out from his grave, asking his countrymen to produce one more Burke once again to work this time as he worked for India when Warren Hastings was impeached. If we all unite and make a bold stand against the attitude of Government in this matter of the Development Department, the force of unity, I am sure, will bring down the bureaucrats to their knees.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, the honourable member the Finance Secretary, Mr. Wiles, a short time ago stated that no Government could be run on commercial lines, because there is no possibility of mass production in Government management. Sir, I am simply surprised to hear such a statement from the honourable member the Finance Secretary. May I ask him, Sir, whether this Development scandal would have come to this stage had he been able to consider figures from the point of view of mass production, the cost of production and the commercial gain to be obtained from the transaction? The very fact that this Government hopelessly failed in recognising the principle of running Government systems on a commercial basis is at the bottom of this whole scandal of the Development Department. Therefore, I may be permitted to point out to him that it is imperative that all Governments in the world should first accept the principle of running all Government systems on commercial lines.

Now, examining the Honourable the Finance Member's speech, we find certain statements which are rather misleading and which give incorrect information to this House. He has stated that this presidency has successfully emerged from periods of danger and depression. Sir, may I ask him, is it because this presidency has just come out of the depression that he has brought forward these proposals for further taxation of oppression on the people of this presidency? He admits that the presidency has suffered a serious depression, and at the same time he proposes new taxation on the people of this presidency. May I ask him whether this is a commercial policy and whether it is progressive and consistent?

A misstatement has been made in regard to the subject of currency. He says that the Government of India have maintained our currency steady with inconsiderable fluctuations. This is, Sir, clearly a misleading statement. If he consults the national economists of the country he will find himself disillusioned. The real fact is that it is the currency policy adopted for the last four years that is at the bottom of the ruin of the industries and of the periods of heavy depressions in this country. Had the currency policy been wisely handled this state of affairs would not have taken place. The statement that the Government of India have wisely managed the currency policy is thus not only untrue but a misleading one.

[Mr G. I. Patel]

Now, in regard to the Back Bay Reclamation, I will only touch upon one main point. It has been proved accurately, Sir, how much debt this presidency has incurred so far and how much it still further intends to incur. It is very clear that there is going to be a burden of about 50 to 60 crores of loans on this presidency. When there was depression all round not only in this country, but in all other countries, was it a wise policy, was it a businesslike policy for Government to go on getting more money by way of advances from the people and spending them on enterprises which were most unbusinesslike and scandalous, and to come at the end of three years before this House to make a statement that they had lost three to four crores? I would not be surprised if the Honourable the Finance Member after having left this country some day got up in his bed in England and found big head-lines in newspapers that all the schemes of the Development Department and of Back Bay Reclamation had ended in a total loss of 11 crores and that the Sukkur Barrage scheme had ended in a loss of 10 crores. There will come a day when we will have to rue for this policy of involving this presidency in further loans and further taxation. I am afraid we may lose about 20 to 25 crores including capital and prospective interest in the investments we have so far made and are going to make with regard to Sukkur Barrage as well as the Back Bay reclamation.

In regard to the existing taxation, the Honourable the Finance Member argues very cleverly that the affairs of 20 million people were administered with a revenue of 14 crores out of which 1½ crores were set aside every year. He has tried to paint his picture with as bright colours as possible in certain spots, so that the real truth may remain hidden. The truth is that we have hopelessly lost and wasted money. We have by this time lost more than 3 crores in one enterprise alone. After two or three years we will find that we have lost 3 or 4 crores in another enterprise also. So it is no use saying that the affairs of 20 million people are being administered with a revenue of 14 crores, when we take into consideration that we are spending money in certain departments which are not productive.

Further, the Honourable the Finance Member has tried to shed one or two tears in regard to the cotton mill industry, with which I am connected, and he says that we have passed through a period of severe depression in commerce and industry, but that we have not come to despair and insolvency. Even though we have not come to the stage of despair and insolvency up to the present moment, I may tell this House that if he persists in his present policy of conducting Government, we will soon come to that hopeless stage of despair and insolvency.

He says further, Sir, that the burden of assessment on the ryot has been lightened by the increase in prices and the change in the value of money. But, Sir, by the increase in prices and the change in the value of money, this country has on the contrary lost. It is not therefore correct to say that the burden of assessment on the ryot has been lightened. The burden of assessment has on the contrary been increased economically by the policy of Government which has led to the rise in prices and the change in the value of money.

[Mr G I Patel]

Then Sir, we have been asked again to vote for new taxation in this session. I believe, the honourable members remember well that during the last budget session, this House emphatically rejected all proposals for further taxation. The condition of the presidency has not improved since then. The Honourable the Finance Member himself admits that we have passed through serious depression, he himself admits that we have lost over 3 crores of rupees in this Back Bay reclamation scheme. He himself admits that we are going to borrow money for Sukkur Barrage and other schemes which this presidency has already undertaken. So in view of all these facts, he has made out no case for voting further taxation. There is a clear case from his own statements on the contrary for reducing the existing taxation and for lightening the burden on the people.

In regard to the expenditure side he has tried to maintain that the reserved departments are those which in the judgment of Parliament were of such exceptional importance as to be reserved for the ultimate responsibility of the Secretary of State.

Here we always have the policy of divide and rule. Whenever any question of curtailment of expenses comes, the Honourable the Finance Member puts before us his usual jugglery of figures and where the expenses in regard to the reserved departments are particularly concerned, a case is made out that they were under the supervision of the Secretary of State and that we had no power in that matter. But, Sir, I may say that in these days of democracy one must look not to the higher officers but to the greatest good of the greatest number (hear, hear). If the Honourable the Finance Member is going to say that the salaries of the highest posts specially selected for attack are not more than a pie in a rupee he should admit my contention and reduce them for the "greatest good of the great number" concerned.

MR P G JOSHI: One pie is wrong, it ought to be one rupee.

MR G I PATEL: My friend the honourable member Mr Joshi says that it ought to be one rupee.

Then lastly the Honourable the Finance Member says that there is no indication that satisfactory teachers cannot be obtained on the present scale of salaries. Well, Sir, I am constrained to say when the Lee Commission recommendations were made, if Government had not voted the increase of salaries to the Civilians and if the Civilians had left, I am sure we could have got equally competent people at less cost to take their places. I may be permitted to draw the attention of the Government to the fact that if by chance the opposite benches are vacated to-morrow and Indians are allowed to take their places, I am sure the administration of the country could be carried on equally satisfactorily with less expense.

DR M M MEHTA (Surat City): Sir, I do not want to touch all the subjects in the Budget, but I will only take those subjects which have been still left uncriticized by my honourable friends. The subjects that I want to touch are mainly medical relief and public health. I am sorry to say that from the budget that has been presented to us to-day, both these departments seem to be very much neglected. I expected

[Dr. M. M. Mehta]

some progressive ideas introduced in this budget in these departments but I am sorry to see that no such improvement has been made and so far as these two departments are concerned, this is a very unsatisfactory budget.

The Honourable the Finance Member has said that vast majority of the people in this Presidency are peaceful and law-abiding and leading a contented life; but I do not think that that is an ideal. It is not only contentment that is required but what is required is prosperity of the people and the prosperity of the people depends upon education, medical relief and sanitation.

I do not want to touch agriculture, because this subject will receive due attention at the hands of the honourable members more conversant with it.

Coming to the question of medical relief, I do not find that any advance has been made during the last two or three years. There has been no appreciable improvement in the opening of more dispensaries in the mofussil and that shows that no advance has been made in the medical department. I expected some progress in this direction in this budget, but I do not find any provision made or any thought given to this very important item.

Then, coming to the medical service in this presidency, it is very badly managed. It is a painful sight to see in the budget year after year a number of I. M. S. men provided for holding charge of hospitals in the presidency when equally, if not more competent, Indians are available for the purpose, who would be willing to do the work with less remuneration.

Then coming to medical education itself, it is strange, Sir, to see that even after more than a century of British rule our University and college are unable to turn out as competent men as foreign Universities and colleges. The cry has been raised in the past by eminent men that medical education should be snatched away from I. M. S. officers and should be entrusted into the hands of independent specialists of repute. But that has not been done and we find that in every budget Government have to provide for a certain number of I. M. S. officers.

Then, coming to public sanitation, we find that it is hopelessly neglected in the districts. Of course, it has not been so much neglected in the cities, because the city municipalities like the Municipality of Bombay are very careful in the choice of their officers, who are to be in charge of public health. But in the mofussil, people who are at present appointed as Assistant Directors of Public Health, are unable to do any better work than supervising vaccination. The department of public health ought to be in the hands of experts in that line.

The Honourable the PRESIDENT: Will the honourable member be able to finish within two or three minutes?

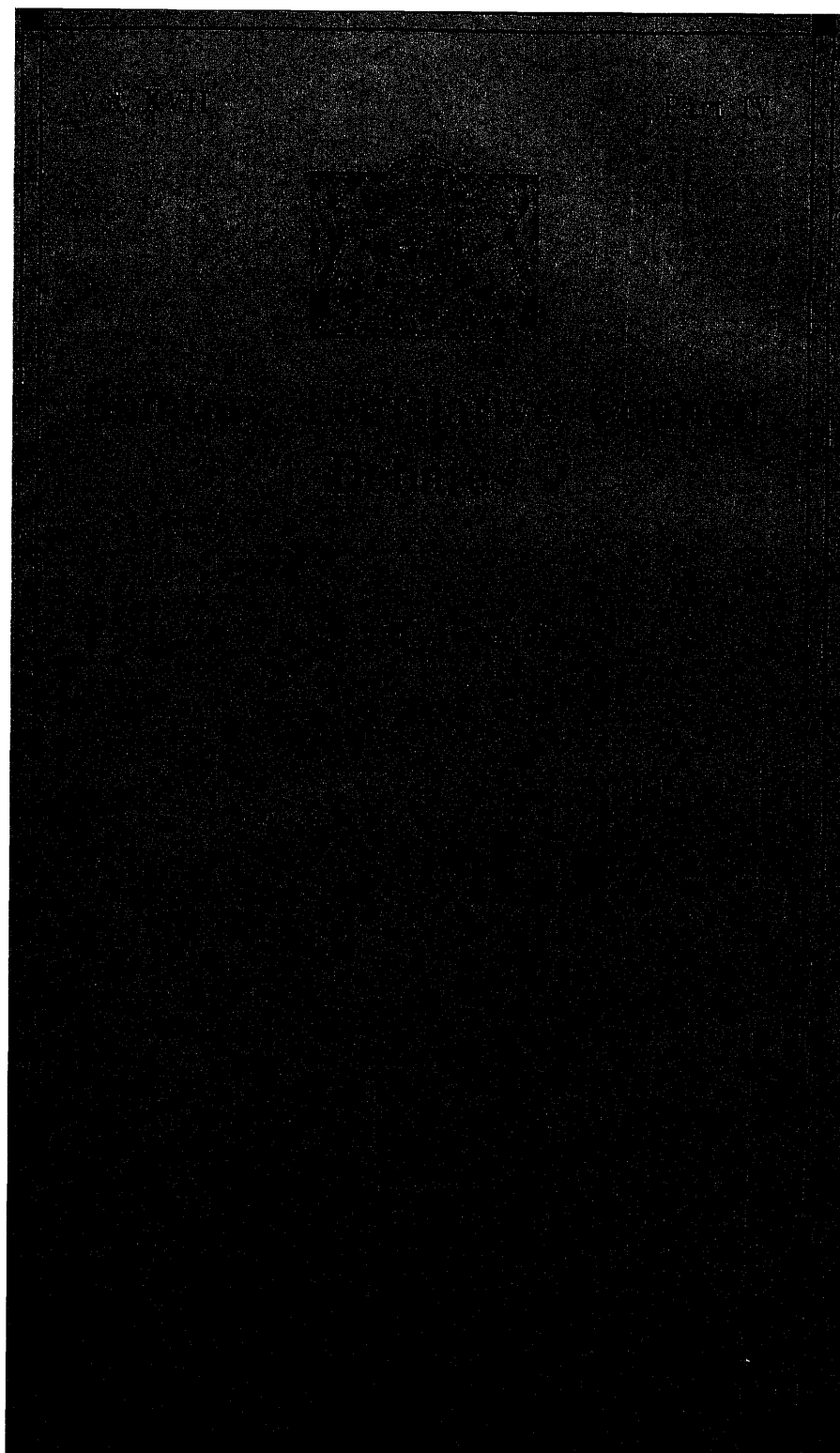
Dr. M. M. MEHTA: I will take, Sir, a little more time.

The Honourable the PRESIDENT: The House will now adjourn till 2 o'clock to-morrow, Thursday, the 25th February 1926.











*Thursday, the 25th February 1926.*

The Council re-assembled at the Town Hall, Bombay, on Thursday, the 25th February, at 2 p.m., the Honourable the President, Sir IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E., presiding.

*Present :*

ABDUL LATIF HAJI HAJRAT KHAN, Mr.  
ABDULPURKAR, Mr. N. A.  
ABERCROMBIE, Mr. J. R.  
ADDYMAN, Mr. J.  
ADWANI, Mr. D. B.  
AHMAD, MOULVI RAFIUDDIN  
BHOPATKAR, Mr. L. B.  
BHURGRI, Mr. J. M.  
BHUTTO, Khan Bahadur S. N.  
BOLE, Mr. S. K.  
BUNTER, Mr. J. P.  
CHAUDHARI, Mr. L. S.  
COOPER, Khan Bahadur D. B.  
DABHOLKAR, Sir VASANTRAO A.  
DADACHANJI, Dr. K. E.  
DEHLAVI, the Honourable Mr. A. M. K.  
DESAI, Rao Saheb D. P.  
DEV, Mr. S. S.  
DIXIT, Dr. M. K.  
FERNANDEZ, Dr. COSMAS  
FRAMJI, Mr. K. S.  
GHOSAL, Mr. J.  
GHULAM HUSSAIN, the Honourable Sir  
GUNJAL, Mr. N. R.  
HAJI, ABDULLAH HAROON  
HAJI KHAMISO GUL MAHOMED  
HAMID M. ABDUL ALI, Mr.  
HARRISON, Mr. C. S. C.  
HATCH, Mr. G. W.  
HEPPER, Sir LAWLESS  
JADHAV, the Honourable Mr. B. V.  
JATOI, Khan Saheb HAJI SERAF IMAMBAKSH  
JATOI, WADERO KADIRBAKSH  
JEHANGIR, the Honourable Mr. COWASJI  
JOG, Mr. V. N.  
JOSHI, Mr. P. G.  
KALBHOR, Mr. G. M.  
KAMBLI, Rao Bahadur S. T.  
KARKI, Mr. M. D.

KAZI, INAITULLAKHAN  
 KHUHO, Mr. M S  
 KOKANI, Mr. G. J.  
 LALJI NARANJI, Mr.  
 LAWRENCE, the Honourable Sir HENRY  
 MANSURI, Khan Saheb A. M.  
 MASTER, Mr. A  
 MAVALANKAR, Mr. G K  
 MCKEE, Mr. W G  
 MEHTA, Dr. M M  
 MEHTA, the Honourable Sir CHUNILAL  
 MONTGOMERIE, Mr. A  
 MOUNTFORD, Mr. L J  
 MUJUMDAR, Sardar G N  
 MUKADAM, Mr. W. S.  
 MUKHI JETHANAND PRITAMDAS  
 NARIELVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NAVLE, Mr. N. E.  
 NEKALJAY, Mr. R. S.  
 NOOR MAHOMED, Mr.  
 OWEN, Mr. A. C  
 PAHALAJANI, Mr. B G.  
 PARANJPYE, Dr. R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N  
 PATEL, Mr. G. I.  
 PATHAN, Mr. A. F. I. K  
 PATIL, Mr. D R.  
 PERCIVAL, Mr. P. E  
 PETCH, Mr. F. W.  
 POWAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 RAHIMTOOLA, Mr. HOOSENALLY M.  
 RIEU, the Honourable Mr. J. L.  
 SAHEBA, Mr. H. D  
 SAPTARSHI, Mr. C M.  
 SARDESAI, Mr. S. A.  
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.  
 SHINDE, Mr. R. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SUBVE, Mr. A. N.  
 SUBVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.  
 THAKOR of Amod, the  
 THOMAS, Mr. G. A.  
 YELKAR, Dr. M. B.

WEBB, Mr. M.

WILES, Mr. G.

WOODS Mr. E. E.

The Honourable the PRESIDENT Order, or 'er. Questions

MAXWELL SYSTEM OF FILING IN THE OFFICE OF THE CHIEF ENGINEER,  
LLOYD BARRAGE.

Mr. D. B. ADVANI (Karachi City) . (a) Will Government be pleased to state whether it is true that there are three office superintendents in the office of the Chief Engineer, Lloyd Barrage and Canals, whereas in each of the other Public Works Department administrative offices there is only one or no office superintendent ?

(b) Whether it is true that the special senior superintendent in the Barrage office was sent for from the Secretariat at Bombay for a period of one year on a salary of Rs 550 per month, in order that he may organize the office on the lines of the Secretariat ?

(c) What salary was the said special senior superintendent drawing prior to his appointment to that office ?

(d) Whether it is true that he has done no other organization work than trying to introduce the Maxwell system of filing ?

(e) Whether it is true that he was not successful in introducing this system and therefore went back to Bombay to study it ?

(f) Was it not possible for the Chief Engineer to send one of the local men to Bombay to learn the system ?

(g) Whether it is true that the Maxwell system of filing was already in vogue in the Commissioner in Sind's office at the time that the Barrage office was opened ? Could not some local man be deputed to learn the system in the Commissioner in Sind's office ?

The Honourable Mr. COWASJI JEHANGIR : (a) Yes. In each of the other Public Works Department administrative offices however there is no office Superintendent but a head clerk.

(b) Yes.

(c) Rs. 240 per mensem.

(d) No. The task of organization is not confined to the introduction of the Maxwell system alone, but is a complex one with many other features. In fact the Special Senior Superintendent is required to organize the whole regime of the Chief Engineer's office on the lines of the Public Works Department, Secretariat. The work of training the staff is a work of time, especially as a number of men trained in this office have been transferred to the lower offices or have resigned their temporary appointments to secure higher posts elsewhere as soon as they became fairly well up in office routine.

(e) and (f) No. The work in the office of the Chief Engineer, Lloyd Barrage and Canals Construction, is being conducted on the lines of the Public Works Department, Secretariat. It was therefore considered necessary for him to study the practical working of the Maxwell system in the Secretariat rather than in any other local office.

The Special Senior Superintendent was directed to take three of the men trained by him in the office of the Chief Engineer, Lloyd Barrage and Canals Construction, to the Public Works Department Secretariat, to show them the new procedure in actual work and to help them fully to appreciate the new method.

(g) Yes. The Maxwell system as followed in the office of the Commissioner in Sind being a modified one suited to the requirement of the Revenue Department, it was considered that the clerks trained by the Special Senior Superintendent in this office should be shown the system in actual working in the Public Works Department Secretariat after which model the office of the Chief Engineer, Lloyd Barrage is being organized.

#### TRANSFER OF BACKWARD CLASSES TEACHERS

Mr S. K. BOLE: Will Government be pleased to state—

(a) whether it is a fact that backward class teachers are transferred to schools distant from their native places,

(b) if so, do Government propose to take any action in the matter?

The Honourable Mr. B. V. JADHAV. (a) No, except as punishment as in the case of all other teachers.

(b) No.

#### EDUCATION IN THE KARJAT TALUKA IN THE KOLABA DISTRICT

Mr. S. K. BOLE: Will Government be pleased to state—

(a) whether it is a fact that there is no full seven standard vernacular school in the Karjat taluka;

(b) whether they intend to increase the number of trained teachers in this taluka?

The Honourable Mr. B. V. JADHAV. (a) No.

(b) Yes.

#### MAHOMEDANS AND NON-BRAHMIN BACKWARD CLASSES IN BOMBAY MEDICAL SERVICE.

Mr. S. K. BOLE. Will Government be pleased to state—

(a) the number of Mahomedans and non-Brahmin backward classes in the Bombay Medical Service, respectively;

(b) how many of them are permanent and how many are temporary;

(c) how many of them are holding selected posts in the B.M.S.;

(d) how many of them are given acting charge as Civil Surgeons;

(e) how many of them hold the posts of registrars at the J. J., Sassoon, Ahmedabad and Hyderabad Hospitals and whether any one of them has been detailed for duty at the Haffkine Institute, Parel, Bombay;

(f) whether any of them hold a post in connection with the three medical schools at Poona, Ahmedabad and Hyderabad (Sind)?

The Honourable Mr. B. V. JADHAV: (a) The numbers of Mahomedans and non-Brahmin backward classes in the Bombay Medical Service are 2 and 5, respectively.

(b) Of the two Mahomedans one is permanent and of the five Hindus three are permanent

(c) None of them holds a selected post in the Bombay Medical Service

(d) Mr K V Chipkar, a Maratha, has previously acted as Civil Surgeon on three occasions

(e) Mr S S Billampalli a Telugu is working as Medical Registrar at the Sassoon Hospitals Poona. None is detailed for duty at the Haflkme Institute Bombay

(f) None of them holds a post in connection with the three Medical Schools at Poona, Ahmedabad and Hyderabad

MOULVI RAFIUDDIN AHMAD With regard to (c), (d) and (f) may I ask the Honourable the Minister considering the extreme paucity of Muhammadan candidates as compared with those of other classes whether he is taking any steps to induce members of that community to join the service?

The Honourable Mr B V JADHAV Whenever there are vacancies applications are invited and fit candidates are appointed to these vacancies. On the last occasion when there were two vacancies, one was given to a Muhammadan

MOULVI RAFIUDDIN AHMAD Are there any special efforts made by the Honourable Minister?

The Honourable Mr B V JADHAV If the honourable member will let me know what is meant by special efforts I shall give a reply

MOULVI RAFIUDDIN AHMAD By special efforts I mean giving inducements to Muhammadans by way of giving them early promotions.

The Honourable Mr B V JADHAV If that is the general desire of the House Government will consider it

#### JAIL DUTY FOR B.M.S. OFFICERS.

Mr. S. K. BOLE Will Government be pleased to state—

(a) whether the officers of the B.M.S. are detailed for Jail duty by turns and for what period,

(b) whether every officer has to put in this jail duty;

(c) why B.M.S. Officers, when they are detailed as medical officers in jails, are not given even the acting charge of a Superintendent's post?

The Honourable Mr. J. L. RICHU: (a) As a general rule junior officers of the B.M.S. are detailed for jail duty by turns for two years

(b) Every junior officer has to do jail duty unless he is specially appointed to any particular post from which he cannot be relieved without serious inconvenience to the service.

(c) A B.M.S. Medical officer of a jail, if suitable, will in the ordinary course be appointed to act as Superintendent for short periods during the absence of the Superintendent.



## B.M.S. OFFICERS AS CIVIL SURGEONS.

Mr. S. K. BOLE : Will Government be pleased to state the number of civil surgeons' posts they propose to give to B.M.S. officers ?

The Honourable Mr. B. V. JADHAV : It has been decided to throw open 9 Civil Surgeoncies (including the post of Assistant to the Civil Surgeon, Poona) which are now held by I.M.S. officers to non-I.M.S. men.

## NASIK LAND ACQUISITION.

Mr. S. K. BOLE : Will Government be pleased to state -

(a) whether it is a fact that certain land was required by Government for digging boundary gutters on the station road at Nasik and possession of the land was taken by the executive engineer, Nasik sub-division, in 1919 ;

(b) whether the said acquisition was notified in the *Government Gazette* dated the 31st June 1920 by notification No. 1625 under Act I of 1894 ;

(c) whether notices for acquisition were issued and served upon the landholders in 1924-25 ;

(d) whether the compensation for the land is not yet paid ;

(e) whether the proceedings are going on for 5 years ;

(f) who is responsible for the delay ;

(g) whether interest would be paid to the people for the whole period on the amount of award ;

(h) what rate of interest would be paid ?

The Honourable Sir CHUNILAL MEHTA : Information has been called for.

## BENCH MAGISTRATES OF CHINCHNI-TARAPUR.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) the hours during which the Bench Magistrates of Chinchni-Tarapur in Thana District hold their Court and whether such hours are fixed or vary according to their discretion and

(b) whether the Magistrates directly or indirectly ask the parties to engage pleaders ?

The Honourable Mr. J. L. RIEU : (a) The Honorary Bench Magistrates at Chinchni hold their Court at 12 noon and the hours do not vary according to the Court's discretion.

(b) So far as Government are aware the Court does not ask parties directly or indirectly to engage pleaders.

Mr. S. K. BOLE : As regards (a) is it not a fact that they sometimes hold the court at 5 p.m.

The Honourable Mr. J. L. RIEU : I have already informed the honourable member that they hold their court at 12 noon,

## ACCIDENT IN THE SAKHARI CREEK

Mr. S. K. BOLE : Will Government be pleased to state

(a) whether they are aware of the accident that occurred in the Sakhari Creek in the Kolaba district on the 31st July 1925 ;

(b) whether the small boat was engaged by the Sarkarkun of Revdanda ,

(c) whether there was on the boat more persons than permitted by the license ,

(d) who is responsible for the loss of the two lives ,

(e) what compensation has been paid and by whom to the heirs of those who were drowned ?

The Honourable Mr. J. L. RIEU : The accident occurred on the 13th July 1925. The boat capsized was a private boat and not a licensed ferry boat. As the ferry boat was not available at the time when the Sarkarkun wanted to cross the creek, a Koli offered to take him across, and the Sarkarkun accepted the offer. The boat was not overloaded and it had an experienced boatman. In mid-channel the boat was carried by a heavy tide over the pole with which the boatman was punting and capsized. The District Magistrate made a detailed enquiry into the matter and found that it was an accident pure and simple and that no blame attached to any one.

Mr. S. K. BOLE : Was any compensation paid to the heirs of the deceased ?

The Honourable Mr. J. L. RIEU : I am afraid I must ask for notice.

Mr. S. K. BOLE : May I ask my yesterday's questions, Sir ?

The Honourable the PRESIDENT : After these questions have been replied to.

## LUNATIC ASYLUMS IN THE PRESIDENCY.

Rao Sahab D. P. DESAI (Kaira District) : Will Government be pleased to state how many lunatic asylums there are in this presidency under the management of Government and where ?

The Honourable Mr. B. V. JADHAV : Six, viz. :-

- (1) Narotamdas Madhavdas Mental Hospital, Naupada, Thana.
- (2) Mental Hospital, Ratnagiri.
- (3) Central Mental Hospital, Yeravda, Poona.
- (4) Mental Hospital, Dharwar.
- (5) Mental Hospital, Ahmedabad.
- (6) Sir C. J. Mental Hospital, Hyderabad, Sind.

Rao Sahab D. P. DESAI : Why none in Bombay ?

The Honourable Mr. B. V. JADHAV : Naupada is from Bombay.

Rao Sahab D. P. DESAI : Are there any lunatics there from Bombay ?

The Honourable Mr. B. V. JADHAV : Yes, there are.

## ALLEGED TORTURE BY POLICE IN EAST KHANDESH

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

1. (a) whether they are aware that in July-August 1925 there were reports of inhuman torture of numerous men and women by the Police on Pachora and Mehunbara side in East Khandesh during the investigation of crimes alleged to have been committed by a gang?

(b) whether they are aware that a non-official committee of inquiry was appointed at Dhula on 31st August 1925 at a public meeting largely attended, to inquire into the various alarming reports of torture by the Police?

(c) whether they are aware that the committee consists of members of all shades of political opinion?

(d) whether they are aware that about one hundred people from Pachora and Mehunbara side made statements before the Committee, complaining of torture, extortion, ill-treatment, etc., by the Police?

(e) whether they are aware that the committee submitted its reports from time to time to the District Magistrates, West and East Khandesh giving the names of the persons who made statements before the committee, with a brief summary of the complaints of torture in some cases?

2. (a) Whether they are aware that there was an enquiry by the Sub-divisional Magistrate, W. D., East Khandesh, on the 6th and 7th September in connection with the allegations against the Police in East Khandesh, referred to in question No. 9, and that he examined most of the persons whose names were given to him by the non-official Committee, and that it was an open enquiry?

(b) Whether they are aware that there was a subsequent inquiry by the District Magistrate, East Khandesh, and it was held in camera, at which, however, the Police were allowed to be present?

(c) Whether they are aware that the non-official Committee had expressed its fear that the District Magistrate was incapable of holding an impartial inquiry?

(d) Whether they have received a representation from the Committee expressing its entire dissatisfaction with the nature of the inquiry by the District Magistrate, East Khandesh, and requesting Government to appoint a tribunal consisting of one official of high rank not serving in East Khandesh and two non-officials of recognized position to hold a judicial inquiry into the matter?

(e) Whether the Committee has expressed its opinion that the terrorism that has been practised was for such a long time and on such a vast scale and with such a sense of security that it had a very serious aspect?

(f) What action they propose to take in the matter?

The Honourable Mr. J. L. RIEU: Government are not prepared to give an answer to this question in view of the fact that orders have issued for the prosecution of the parties who made allegations of actual torture on the part of the police. The case is, therefore, *sub judice*.

Mr. P. G. JOSHI : Has the case been presented to the magistrate ?

The Honourable Mr. J. L. RIEU : Orders for the prosecution have been issued by the District Magistrate.

Mr. P. G. JOSHI : Then, it is not *sub judice*. May I know what action has been taken by the District Magistrate ?

The Honourable Mr. J. L. RIEU : I have already said we are not prepared to give an answer to the question at present.

Mr. S. S. DEV : On a point of order, I want to ask : Can a matter be considered to be *sub judice* when no case is pending in any court ?

The Honourable the PRESIDENT : I do not think there is any point of order involved. Points of order would arise on a debate. In regard to interpellations, Government are not bound to answer every question, as I have repeatedly informed the honourable House, and Government state that they decline to answer this question at this stage. A supplementary explanation which is given by the Honourable Member in charge is to indicate what has prompted Government not to reply on the present occasion.

#### PASTURE LAND AT BHALER IN NANDURBAR TALUKA.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state—

(a) if it is true that for the last over thirty years the three survey numbers 61, 173 and 174 measuring 678, 42 and 40 acres respectively, situated at Bhaler in Nandurbar Taluka, West Khandesh, have been used only for grazing purposes ;

(b) whether any area out of those survey numbers has been let out to anybody this year ; if so, to whom has it been let out ; how far from Bhaler does he reside ; and what is the area of land so let out ;

(c) if the reply to the first part of (b) be in the affirmative, whether the people of Bhaler protested against the land being leased out in this manner ; whether before disposing of the land any intimation was given to them ;

(d) whether it is true that the father of the man to whom the land has been leased out owns 125 acres of land and is besides a trader ;

(e) whether the land was leased out by public auction ; if not, what is the reason therefor ;

(f) whether there are any principles or rules regulating the giving out of such lands ; if so, what are the principles or rules ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) The Mamlatdar of Nandurbar, under the powers vested in him to give out lands on Eksali cultivation, granted for cultivation on 11 months' lease 90 acres of land out of 760 acres to one Gulab Gameer, residing at Koparli, a village six miles from Bhaler. The grant has since been discontinued.

(c) The people of Bhaler protested after the land was given. The village officers had previous intimation from the Circle Inspector that he would come to measure the land applied for by Gulab Gameer.

(d) Gulab's father Gameer U Khan has 36 acres and 38 gunthas in his khata at Koparli and Amalthe. He also trades in cotton when the season is favourable

(e) The land was not leased by public auction as unassessed waste lands are generally given for temporary cultivation on Ek-ali lease, when applied for.

(f) Temporary occupation of unalienated unoccupied lands for cultivation is allowed under section 68 of the Land Revenue Code. Mamlatdars are authorised to grant unoccupied lands for cultivation for a period of one year.

#### MOTOR ACCIDENTS, POONA LINES.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) the number of motor accidents on motor lines plying for hire from Poona, from April 1924 to 31st March 1925, in which passengers were seriously wounded or their property damaged;

(b) the number of deaths in the accidents;

(c) the number of prosecutions and the result of them;

(d) to which of these motor lines Public Conveyance Act is made applicable and to which the Motor Vehicles Act only applies?

The Honourable Mr. J. L. RIEU: (a) and (b) There was only one such motor accident in which one passenger was seriously wounded and died as a result of the accident. No property was damaged.

(c) The driver was prosecuted. He was convicted and sentenced to pay a fine of Rs. 200.

(d) Public Conveyance Act is not applicable to motor vehicles. They are regulated by rules framed by Government.

#### REMISSION OF LAND REVENUE OF SURVEY NO. 211, MANKULE VILLAGE.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether the Collector of Alibag and the Commissioner, Southern Division, received any representation from Mr. Krishnaji Mukand Dewal of Zalkhand, taluka Alibag, district Kolaba, praying for remission of land revenue of survey No. 211 of the village of Mankule, on the ground that the seedlings of rice planted in the said land were suddenly overflowed with water from the creek and caused total loss to the owner;

(b) if so, will they be pleased to state whether the applicant was refused remission on the ground that he had other lands on his name from the income of which he may pay the land revenue of the said number;

(c) whether any remission is due to the applicant under the rules?

The Honourable Sir CHUNILAL MEHTA: (a) Yes.

(b) Yes, because the applicant was in a position to pay the Land Revenue.

(c) No.

Mr M B POWAR : Is Land Revenue to be paid on the occupation and use of land or on the general ability of the land owner ?

The Honourable Sir (HUNILAL MEHTA : On the former, I should say.

#### DISPENSARY BUILDINGS, DISTRICT LOCAL BOARD, POONA.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether the District Local Board, Poona, had requested them to give the Government share of the building grants for the proposed Dispensary buildings at Ghoda and Belha in the Poona District ;

(b) whether they were requested by the District Local Board, Poona, to pay their share as above, as the District Local Board, Poona, were ready with plans and estimates of the proposed buildings with the necessary funds for their share,

(c) if so, what are the reasons for which Government have not given their share for the last two or three years ?

The Honourable Mr. B. V. JADHAV : (a) Yes.

(b) Yes.

(c) The grants have not been paid for want of funds.

#### THE DECCAN AGRICULTURISTS' RELIEF ACT.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they intend to give effect to the recommendations of the Arthur Commission, appointed to revise the Deccan Agriculturists' Relief Act, in the near future ;

(b) if so, when ?

The Honourable Mr. J. L. RIEU : Government do not propose to give effect to the proposals of the Arthur Committee in the form in which these were made. They are still in correspondence with the Government of India with regard to the amendment of the Act.

#### MOTOR ACCIDENT, LONAND.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state (a) whether they are aware that on or about the 13th of last Ashadh Shuddha Ekadashi there was a race between several motor cars plying for hire from Poona to Pandharpur when an accident happened near Lonand ending in loss of life ?

(b) to give full information of the accident stating the extent of loss of human lives ?

(c) to state what steps were taken to bring the offenders to justice ?

The Honourable Mr. J. L. RIEU : Government understand that a motor accident involving the loss of three lives took place in the Phaltan State and that the guilty parties were dealt with according to law by the authorities of that State.

## INTERVIEWING A POLITICAL PRISONER.

Mr. V. N. JOG (Dharwar District): Will Government be pleased to state—

(a) whether it is a fact that Mr. Madhav Bhimrao Kabboon M.A., LL.B., of Dharwar, had applied to the Superintendent of the Central Prison, Yeravda, in June 1924, for an interview with Mr. R. R. Diwaker, M.A., LL.B., then a prisoner in the said jail,

(b) whether it is a fact that the said request was forwarded to the Government of Bombay, Home Department, and the Home Department refused the interview on the ground that the said Mr. Kabboon had been recently released from prison after serving three years for an offence of a political nature,

(c) whether it is a fact that the interview asked for was strictly for business purposes and both Mr. Kabboon and Mr. Diwaker were vitally concerned in this business;

(d) whether Government have at no time allowed *ex* political convicts to interview political convicts?

The Honourable Mr. J. L. RIEU: (a) Yes

(b), (c) and (d) The interview was refused, because it was not limited strictly to private matters. The attention of the Honourable Member is invited to rule 8 in Chapter XXXIX-A of the Bombay Jail Manual.

## THE DREDGER "SIR GEORGE LLOYD".

Mr. LALJI NARANJI (Indian Merchants' Chamber) Will Government be pleased to state—

(a) whether the dredger "Sir George Lloyd" has accomplished the work that was expected from it and whether it will be valuable after the present work has been completed and at what reduction in the price paid for it by Government;

(b) whether they intend to reduce the officers employed on the dredger?

The Honourable Mr. COWASJI JEHangIR: (a) The output of the dredger has so far been less than that for which it was designed. Every effort is being made to increase the output.

(b) The depreciated value, based on today's new cost of the dredging plant, which includes in addition to the dredger "Sir George Lloyd", the intermediate pumping station "Colaba", the dredger "Kalu" and its intermediate station "Junga" with the pipe lines, is Rs. 61,74,000 against the cost to Government of Rs. 148.85 lakhs in purchasing them. This estimated depreciation value could only be realised if a similar work of about the same magnitude were to be started in some other part of the world.

(b) Not at present.

Mr. G. B. PRADHAN: May I know what fresh efforts are being made to increase the output?

The Honourable Mr. COWASJI JEHangIR: Mr. President, this will require a very long detailed explanation and I will ask my honourable

friend to have patience till we get to the discussion on the budget demand, when I shall be very pleased to satisfy his curiosity.

Mr K. F. NARIMAN: What is the result of the invitation to the engineers? Did the engineers visit the place?

The Honourable the PRESIDENT: I do not know whether the honourable member still wishes to put the question in view of the fact that the Honourable the General Member has stated that he will give, in his speech during the present discussion of the budget, full and elaborate explanation and that honourable member will be able to deal with it when the department's estimates come up for discussion.

Mr K. F. NARIMAN: This information will help us to understand the position at the time of the debate.

The Honourable the PRESIDENT: Will the honourable member please repeat his question?

Mr K. F. NARIMAN: It is stated in the reply that the engineers for the Back Bay Scheme were called upon by Government to visit Bombay in order to secure the designed output. What was the result of that invitation? Did the engineers visit the place?

The Honourable Mr. COWASJI JEHLANGIR: I have not stated that in the reply. May I explain for the information of my honourable friend that I gave a different reply to that printed in the question list originally? That is antiquated. The question was put in September last and I have given the latest reply which is printed for me on a slip, it is an amended copy. These questions were asked in September or October last and the honourable member did not ask them in the last session, he was absent. Then he repeated the question again. Unfortunately the old answer sent to the office of the Secretary, Legislative Council, was printed; now we have given the latest answer. If my honourable friend will have a little patience, I promise to give him all that information when I speak in making a demand of the grants. I have no objection to explain it now, but it will mean 20 minutes' time if I were to give it now.

The Honourable the PRESIDENT: Twenty minutes' time cannot be allowed for an answer to an interpellation; that can only be allowed for a speech during debate.

Mr. G. I. PATEL: How is the amount of Rs. 61,74,000 arrived at?

The Honourable Mr. COWASJI JEHLANGIR: I think the answer is there, if my honourable friend will see it. It is based on the present value of this plant *plus* depreciation.

Mr. G. I. PATEL: It is stated in the reply that it is based on to-day's new cost of the dredging plant. May I know whether the new cost of the dredging plant is equal to that realised from a second hand plant?

The Honourable Mr. COWASJI JEHLANGIR: The price is based on what Government would have to pay to-day for a new plant of the same kind, *minus* depreciation on the present plant.



Mr G I PATEL On what basis is this depreciation calculated, 5 per cent, 10 per cent, or 20 per cent, and for how many years?

The Honourable Mr COWASJI JEHangIR The number of years during which it has been in use uptill to-day

Mr G I PATEL Has any provision been made in the difference of cost of materials and the difference of labour at present between the old price and the present price?

The Honourable the PRESIDENT I am afraid I do not understand the question

Mr. K F NARIMAN Do the Government propose to take any action for the faults which have been found to exist in the dredging plant?

The Honourable Mr COWASJI JEHangIR I would again ask my honourable friend's indulgence to allow me to answer this question later on. I am afraid, Sir, you will not allow me to do so now because I cannot do it under five or six minutes

Mr. K F NARIMAN: I want an answer in the affirmative or negative.

The Honourable Mr COWASJI JEHangIR The matter is under consideration. It is being considered by the lawyers of Government

Mr. W S MUKADAM When will the consideration be completed?

Mr P G JOSHI May I know how long the dredger "Sir George Lloyd" is working?

The Honourable Mr COWASJI JEHangIR It started working in December 1923

Mr G I PATEL May I know what amount has been put against depreciation?

The Honourable Mr COWASJI JEHangIR. I should like to ask for notice of the question.

Dr M. K DIXIT How long has the dredger "Kalu" been working?

The Honourable Mr COWASJI JEHangIR: It started working in the beginning of the last working season

Mr K F NARIMAN When was this defect in the working of the dredger discovered?

The Honourable Mr COWASJI JEHangIR: I propose to give, as I said before, a full statement of the history of the case when I make my speech. It is impossible to answer these points in answers to supplementary questions.

Mr. P G. JOSHI I hope the honourable member will remember all these points.

Mr K. F. NARIMAN: A question about the working of the dredger "Kalu" was asked at the last session, when it was said that it was in working order. Was the defect discovered before or after giving the answer?

The Honourable Mr. COWASJI JEJIANGIR : I do not remember having given such an answer that the dredger 'Kalu' was working all night.

Mr. K. F. NARIMAN : There was a question about the working of the dredgers, and the Honourable Member said that it was all right.

The Honourable Mr. COWASJI JEJIANGIR : I cannot remember it.

Mr. K. F. NARIMAN : When was this defect discovered?

The Honourable the PRESIDENT : What defect does the honourable member refer to?

Mr. K. F. NARIMAN : I am referring to the fact that the dredger is not working according to estimates.

The Honourable the PRESIDENT : What part of the reply is he referring to?

Mr. K. F. NARIMAN : I am referring to the first part of the reply.

The Honourable the PRESIDENT : The reply as printed on the separate sheet is before the House and not the one printed in the question list.

Mr. K. F. NARIMAN : That reply says that the output of the dredger has so far been less than that for which it was designed. When was it found out?

The Honourable Mr. COWASJI JEJIANGIR : That answer refers to the 'Sir George Lloyd'.

The Honourable the PRESIDENT : I really cannot find where the honourable member discovers the reference to the dredger 'Kalu'.

Mr. K. F. NARIMAN : In the reply it is stated that the output of the dredger has so far been less than that for which it was designed.

The Honourable the PRESIDENT : That dredger is the 'Sir George Lloyd'.

Mr. K. F. NARIMAN : It is stated that the output of the dredger has so far been less.

The Honourable the PRESIDENT : I want to draw the honourable member's attention to the fact that his question, when he was interrupted, related to the dredger 'Kalu'. The reply he has read out refers to the dredger 'Sir George Lloyd' and therefore the supplementary question can only refer to that dredger which has been referred to in the reply.

Mr. P. G. JOSHI : The dredger 'Kalu' has been mentioned.

The Honourable the PRESIDENT : The honourable member can ask a supplementary question arising out of the reply given. The honourable member refers me to a part of the reply which refers to one dredger only.

Mr. K. F. NARIMAN : I will confine myself to the 'Sir George Lloyd'.

The Honourable the PRESIDENT : Certainly.

The Honourable Mr. COWASJI JEHangIR : I think if the honourable member will read the reports of the advisory committee, he will get all the information he wants. It will take me some time to repeat all that there is in the advisory committee's report. Besides that, I again assure honourable members that in the discussion on Demands for Grants that will take place, I will give all the facts relevant to the case, which I cannot do in reply to supplementary questions.

Mr. G. I. PATEL : With regard to (d).....

The Honourable the PRESIDENT : Somehow, honourable members do not seem to be satisfied with the assurance.

Mr. G. I. PATEL : Will the Honourable Member be pleased to give the reasons for not reducing the officers employed on the dredger ? Do they want to have the full working staff for the dredger ? Why do they not want to reduce the staff ? Have they any other plan in view for the staff ?

The Honourable the PRESIDENT : Next question, please.

#### BACK BAY FILLING.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state—

(a) whether it is a fact that the filling in of the Back Bay by the dredger has been a failure ;

(b) if so, whether the Development Department will invite tenders to bring in the materials for filling purposes from Kandivli instead of using the dredged material ?

The Honourable Mr. COWASJI JEHangIR : (a) The Honourable Member is referred to the reply given to the first part of his previous question.

(b) The dredgers will continue to work but material will also be brought from Kandivli in order to expedite reclamation and obtain revenue from sales of land at an earlier date.

Mr. LALJI NARANJI : Do Government believe that the filling in of Back Bay by dredged material is a failure ? That question has not been answered.

The Honourable Mr. COWASJI JEHangIR : My honourable friend has read the advisory committee's report, and their opinion is expressed in that report, as to the failure or success of the dredger. I cannot supplement anything just now to what the advisory committee have stated. I am quite prepared, as I said before, and I repeat again, to explain all these points when we come to the debate on the demands for grants, because that will be the proper time to explain. It is impossible to go into these very large questions in answer to supplementary questions.

Mr. LALJI NARANJI : The report submitted to Government leads to the belief that dredging in the Back Bay by the " Sir George Lloyd " is a failure.

The Honourable Mr. COWASJI JEHangIR : It depends on the definition of failure—partial or whole ? It certainly is a partial failure.

Mr. W. S. MUKADAM : May I know whether the Honourable the General Member supports the majority report of the advisory committee ?

The Honourable Mr. COWASJI JEHangIR : That does not arise out of the answer given.

#### SLAUGHTER OF ANIMALS AT BANDRA.

Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state whether there is any truth in the report that about 300 to 400 pregnant animals are slaughtered daily at Bandra ?

The Honourable Sir GHULAM HUSSAIN : The fact is that on an average about 100 to 150 sheep and goats supposed to be pregnant are slaughtered every day at the Bandra Slaughter House. These animals are in such an early stage of pregnancy that it is impossible definitely to determine whether they are pregnant or not. Pregnant cows and buffaloes are not allowed to be slaughtered at the Bandra Slaughter House.

Khan Sahab A. M. MANSURI : May I know whether the animals are examined whether they are fully pregnant or not before they are slaughtered ?

The Honourable Sir GHULAM HUSSAIN : I do not know.

Khan Sahab A. M. MANSURI : Is it not possible to ascertain whether the animals are fully pregnant or not with the aid of improved science before they are slaughtered ?

The Honourable Sir GHULAM HUSSAIN : It is the function of the municipality.

#### MAHOMEDAN FEMALE EDUCATION.

Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state what steps they have taken to further the cause of Mahomedan female education ?

The Honourable Mr. B. V. JADHAV : Among the more important steps taken by Government to further the cause of education among Muslim girls in the Presidency proper are the following :—

##### *I. Secondary Education.*

(1) English classes have been attached to the Central Urdu Girls' School in Poona.

##### *II. Primary Education.*

(1) A post of Inspectress of Urdu Girls' Schools has been created for the Central Division.

(2) A Normal class for training mistresses for Urdu Girls' Schools had been attached to the Central Urdu Girls' School, Poona.

(3) The staff of the Central Urdu Girls' School, Poona, has recently been strengthened by the addition of two more teachers. A graduate Head Mistress has been appointed for this school.

(4) An allotment of Rs. 6,000 has been sanctioned for the payment of scholarships and prizes to Muslim girls in primary schools.

(5) A separate set of standards for Urdu Girls' Schools in the Presidency proper has been sanctioned for use in such schools.

MOULVI RAFIUDDIN AHMAD : Will the Honourable Minister be pleased to state whether he would redeem his promise to open an Anglo-Urdu middle school for Moslem girls at Poona.

The Honourable Mr. B. V. JADHAV : Yes.

MOULVI RAFIUDDIN AHMAD : With regard to clauses 3 and 5 of the answer is the Honourable Minister aware that Urdu training class was opened at Dharwar and it was abolished three years ago ?

The Honourable Mr. B. V. JADHAV : I do not know.

MOULVI RAFIUDDIN AHMAD : Will the Honourable Minister please make enquiries ?

The Honourable Mr. B. V. JADHAV : Yes.

#### ELLIS BRIDGE STATION, AHMEDABAD.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) the average number of tickets that are issued to passengers daily at the Ellis Bridge Station, Ahmedabad ;

(b) the average number of tickets that are received from passengers who alight at the said station ;

(c) the area of the passengers' shed at the said station ;

(d) whether they are aware of the fact that out of the rough area of 60' x 30' of the passengers' shed, about 40' x 30' of the shed is occupied fully by the tea shops, pan-shops and " shev-mamra " dealers ;

(e) whether they are aware of the fact that great hardship and inconvenience is experienced by the passengers owing to the small space left for their halting and convenience ;

(f) what was the number of average daily tickets issued and received at the said station in the year 1910 and what was the area of the passengers' shed in that year ?

The Honourable Sir CHUNILAL MEHTA : (a) 826.

(b) 808.

(c) 1,040 square feet.

(d) An area of 322 square feet only of the passengers' shed 52' x 20' was occupied by stalls on account of the monsoon season. These stalls have since been removed to the platform and will be permanently sited outside the shed.

(e) Government are informed that with the removal of the stalls from the passenger shed to the platform and also by the dismantlement and removal of the water room there is sufficient room in the waiting shed for passengers. The shed will be extended in the future, if it is found necessary.

(f) The daily average number of tickets issued and collected at the said station in the year 1910 was 541 and 533 respectively. The area of the passenger shed in that year was the same as shown in (c) above, viz., 1,040 square feet.

Khan Saheb A. M. MANSURI : In view of the increase in the number of passengers, is it not necessary to extend the shed for the convenience of passengers ?

The Honourable Sir CHUNILAL MEHTA : The answer is given in the reply to clause (c) of the question that the shed will be extended if it is found necessary.

#### SUITS AGAINST THE G. I. P. RAILWAY.

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars) : Will Government be pleased to state—

(a) whether it is a fact that in this Presidency suits against Government or Public Officers in their official capacity can be instituted only in the Courts of District Judges ;

(b) whether it is a fact that in Bengal and Madras such suits are heard by Subordinate Judges ;

(c) whether the above method of procedure referred to in (a) is applicable to suits for claims against the G. I. P. Railway on its being transferred to Government management ;

(d) whether they propose to remove this hardship to the traders of the Bombay Presidency ;

(e) whether they have had reference in the matter from the Government of India as per reply in the Legislative Assembly to the starred question No. 366 ;

(f) whether they propose to take action accordingly and to introduce the desired change in the Bombay Civil Courts Act No. XIV of 1869 and if so, when ;

The Honourable Mr. J. L. RIEU : (a) The answer is in the affirmative.

(b) The answer is in the affirmative.

(c) The answer is in the affirmative.

(e) No such reference has been received.

(d) and (f) The matter is under the consideration of Government.

#### ACCOUNTS IN INAM VILLAGES.

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars) : Will Government be pleased to state whether they are aware of the fact that due regard is not given by the officers concerned by giving full effect to the circular order issued by the Commissioner, C. D., dated 8th April 1909, with regard to the accounts in inam villages (*vide* page 124 R. B. Joglekar's Alienation Manual) ?

The Honourable Sir CHUNILAL MEHTA : With a few exceptions the correct procedure has been followed by the officers concerned and, where necessary instructions have been issued for the observance of the correct procedure.

Sardar G N MUJUMDAR Will the honourable member be pleased to place copies of these instructions issued on the Council table before the close of this session ?

The Honourable Sir CHUNILAL MEHTA I cannot give the honourable member a reply off-hand without examining the papers. I should think there ought to be no objection.

Sardar G N MUJUMDAR Have the necessary instructions been already issued ?

The Honourable Sir CHUNILAL MEHTA I am not prepared to give an answer now.

#### (CIRCULAR TO MAGISTRATES)

Mr K F NARIMAN (Bombay City, South) Will Government be pleased to state—

(a) whether the circulars issued to Presidency Magistrates some time ago, directing them not to pass strictures against police officers in open court, are still in force,

(b) if the answer to the above is in the affirmative, if they intend to withdraw such circulars,

(c) whether any Presidency Magistrate has raised any objection to such circulars,

(d) whether it is the ordinary practice of Government to issue private instructions to judicial officers in the shape of private circulars, directing them to discharge their judicial duties and functions in a particular manner ?

The Honourable Mr J L RIEU (a) Yes

(b) The circular was issued by the High Court

(c) No such objection has been received by Government

(d) No

Mr K F NARIMAN Does Government think it desirable to interfere with the judicial functions of the magistrates ?

The Honourable Mr J L RIEU These instructions have been issued by the High Court and Government do not propose to take any action in regard to it.

Mr K F NARIMAN Is it not a fact that these instructions have been issued by the High Court at the instance of Government ?

The Honourable Mr J L RIEU That is not the question. The instructions were issued by the High Court.

Mr K F NARIMAN Is it not a fact that the instructions have been issued at the instance of the Bombay Government ?

The Honourable Mr J. L. RIEU I am not prepared to answer the question.

Mr K. F. NARIMAN : Does not Government think it proper to take the necessary action to see that the instructions are withdrawn ?

The Honourable Mr. J. L. RIEU Emphatically no.

Mr K F NARIMAN Will Government be pleased to state why they make any discrimination between a police officer and an ordinary member of the public or other public servants? Why should they protect police officer from any criticism?

The Honourable Mr J L RIEU Government have not issued instructions and so there is no discrimination made by Government.

Mr K F NARIMAN Does Government deny that these instructions were issued at their instance? (No reply)

#### BOMBAY CITY POLICE FORCE.

Mr K F NARIMAN (Bombay City South) Will Government be pleased to state

(a) Whether there is any rule in the Bombay City Police Force to the effect that when the Indian Superintendent of Police goes on leave his place should be filled up by the next senior Indian Inspector?

(b) Whether it is a fact that recently when the Indian Superintendent of Police Rao Bahadur R. Tayde went on leave his place was filled up by a European Inspector?

(c) Whether there has been any correspondence between the Government and the Commissioner of Police on the subject?

(d) Will they be pleased to place that correspondence on the Council table?

The Honourable Mr J L RIEU (a) Superintendentships of Bombay City Police reserved for Indians are filled up from among Indian Inspectors if suitable Indian Inspectors are available.

(b) Reference is requested to Government Notification, Home Department, No. 831 14-11875 dated the 23rd October 1925, published at page 2773 of Part I of the *Bombay Government Gazette* dated the 29th October 1925 from which it will be seen that in Rao Bahadur R. N. Tayde's leave vacancy in Indian has been appointed to officiate as Superintendent of Police Bombay City, and that the most senior Inspector, who was a European was appointed temporarily for a few days pending relief by the Indian Inspector appointed to officiate in the vacancy.

(c) Yes.

(d) Government do not consider any useful purpose will be served by placing the correspondence on the Council Table.

#### ARRREST OF PATHANS AT PIMPRI STATION.

Mr N E NAVLE (Ahmednagar District) Will Government be pleased to state

(a) whether the two armed Pathans who had attacked the Pimpri Station on the Dhondl-Mannad line have been arrested;

(b) if so, who effected the arrest;

(c) whether it is a fact that the Sub-Inspector of Police, Shingonda taluka, is the person who actually caught the men at the risk of his life;

(d) if so, whether Government propose to reward this gallant servant of Government?



The Honourable Mr. RIEU : (a) to (c) In the affirmative.  
(d) This is a question for the Inspector General of Police.

Mr. N. E. NAVALE : Will Government be pleased to state whether the Inspector General of Police has given any reward ?

The Honourable Mr. J. L. RIEU : I am not able to say.

#### THEFTS IN AHMEDABAD RAILWAY YARD.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state—

(a) whether in the appendix printed at pages 44—49 of the XIVth question list placed on the Council table during its July session, it is stated that the Watch and Ward Inspector was not present on 28th March 1923, when the bale under complaint was opened ;

(b) whether they have already admitted in reply to a question on the same subject asked on 13th October 1924 that “one cotton piece bale of the Ahmedabad Fine Spinning and Weaving Company, Limited, was opened in the presence of Mr. G. I. Patel and the Watch and Ward Inspector, Ahmedabad, on 28th March 1923” ;

(c) the reasons for such contradictory reports on a matter of vital importance ;

(d) whether they have called for the affidavits of all those persons who were present on the scene to ascertain the fact of the Watch and Ward Inspector being present on the spot ;

(e) whether Mr. J. A. Guider, the Watch and Ward Superintendent, was responsible for giving this wrong information to Government ; if so, will they be pleased to state what action they have taken in the matter ;

(f) if not, will they be pleased to give the name of the individual or individuals who have given such incorrect information ?

The Honourable Mr. J. L. RIEU : (a) and (b) Yes.

(c), (d), (e) and (f) Both the statements were based on the reports received from the Agent, Bombay Baroda and Central India Railway, and these reports were based on information given by the Watch and Ward Inspector. The inspector explains that after a lapse of time he failed to remember, when making his second report, that the bale had been opened in his presence. As, however, the fact that there was a shortage in the bale when it was examined in the presence of the Honourable Member on the 28th March 1923, which was the point at issue, has never been disputed, no importance was attached by the Railway Authorities to the contradictory statement of the Inspector regarding his presence on the occasion referred to.

Mr. G. I. PATEL : In view of the fact that the inspector gave false information because he did not remember and thus misled both the member that asked the question and the Government, do Government propose to take any action against the inspector ?

The Honourable Mr. J. L. RIEU : The answer to the question is contained in the reply given.

Mr. G. I. PATEL : In view of the fact that the inspector gave false information to Government and the Government on the basis of that information had to give a false reply to me, does Government propose to take any action against the inspector ?

The Honourable the PRESIDENT : The term 'false' is unparliamentary. The honourable member may say 'incorrect' information ; and the honourable member cannot charge Government with having given false information.

Mr. G. I. PATEL : Incorrect information.

The Honourable Mr. J. L. RIEU : The answer is that Government do not propose to take any action.

Mr. G. I. PATEL : What are the reasons for not taking action against the inspector in spite of the fact that on account of that incorrect information the person concerned was put to pecuniary loss ? (No answer).

Mr. W. S. MUKADAM : May I know whether Government are prepared to make enquiries into the matter and ascertain whether he has given false information ?

The Honourable Mr. J. L. RIEU : Enquiry has already been made.

Khan Saheb A. M. MANSURI : Is it the intention of Government to encourage those who give incorrect information ? (No answer.)

Mr. D. B. ADWANI : If any person gives false information—I do not mean Government—and if an honourable member says on the floor of this House that that person has given false information is the expression unparliamentary ?

The Honourable the PRESIDENT : That is a technical point. The honourable member is right so far as the technicalities of the point he has mentioned. The expression "false information" as used by the honourable member referred to would not be unparliamentary.

#### KANKARIA DEVELOPMENT.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state—

(a) if the area from outside Raipur Gate to Kankaria Tank at Ahmedabad has been developed by the erection of new bungalows and quarters during the last seven years ;

(b) the approximate square yards of lands still awaiting development in the total area covered by the Kankaria town planning scheme ;

(c) whether they intend to take steps to develop the said area further before considering any steps to develop the Ellis Bridge Town Planning Area ?

The Honourable Sir GHULAM HUSSAIN : (a) A few bungalows have been erected on the main road but there has not been any regular development of the area.

(b) The draft scheme being under preparation it is not possible to give any idea at present.

(c) Both the Kankana and the Ellis Bridge Town Planning Schemes are being dealt with simultaneously, but the Ellis Bridge Town Planning Area is the most suitable for early and rapid development.

Mr. J. C. SWAMINARAYAN : On whose information it is stated that the Ellis Bridge Town Planning area is most suitable ?

The Honourable Sir GHULAM HUSSAIN : Of the local officers and those that have taken up the town planning scheme

Mr. J. C. SWAMINARAYAN : Were the people of the villages who are affected by the scheme consulted before forming such an opinion ?

The Honourable Sir GHULAM HUSSAIN : I do not know if they are affected

Mr. G. I. PATEL : Is it not a fact that already the Ahmedabad municipality has requisitioned the Honourable Minister to erect a new bridge over the Sabarmathi river in order that the town planning scheme may be made successful ?

The Honourable Sir GHULAM HUSSAIN : I want notice of this question.

Khan Saheb A. M. MANSURI : Will Government . . .

The Honourable the PRESIDENT : I have called the next question. I cannot allow any supplementary questions now.

#### PROMOTIONS BY SELECTION IN REGISTRATION DEPARTMENT.

1. Mr. D. R. PATIL (East Khandesh District) : Will Government be pleased to state—

(i) how many promotions were given by selection in the Registration Department in the Marathi Division in each of the three grades, first, second and third, since the revision of pay took place ;

(ii) how many of the persons selected were (a) Brahmins, (b) Prabhus and (c) Hindus from the backward classes ?

The Honourable Mr. A. M. K. DEHLAVI : (i) Promotions by selection were given as under—

I Grade	..	..	..	1
II Grade	..	..	..	6
III Grade	..	..	..	12

(ii) Out of the persons selected—

(a) 9 were Brahmins,

(b) 6 were Prabhus and

(c) 5 were Hindus from the backward classes.

Mr. N. E. NAVLE : (Inaudible) (No answer).

#### BOARD ON THE NEW KOPRI ROAD.

Mr. G. B. PRADHAN (Thana and Bombay Suburban Districts) : Will Government be pleased to state—

(a) whether they are aware that a board has been put up on the new Kopri road at Thana describing it as a private Government road ;

(b) if so on what authority the board has been put up ?

The Honourable Sir GHULAM HUSSAIN : (a) Yes.

(b) Because the road is the private property of Government having been constructed by Government to provide access to the houses of Government officials at Kopri.

Mr. G. B. PRADHAN : Do I understand that the road is private property of Government ?

The Honourable Sir GHULAM HUSSAIN : It is intended to give access to the buildings which are constructed by Government for their officials.

Mr. G. B. PRADHAN : I do not mean the road in the colony. I mean the road which joins trunk road from Kopri. Are Government aware that a board is put up on the Kopri road where it joins the trunk road stating that it is the private property of Government ?

The Honourable Sir GHULAM HUSSAIN : Government are not aware.

Mr. P. G. JOSHI : Do Government own private property ?

#### SUSPENSION OF WATANDAR MAHARS OF DEVALE.

Mr. R. G. PRADHAN (Nasik District) : Will Government be pleased to state

(a) whether it is a fact that Messrs. Ukha, Devala, Rambha Ragho, Laxman Manaku, Tatyia Tulsiram, Savalya Chokhu, Mahadu Ramji, Tanya Fula and Bhika Rupa, all watandar mahars of Devale, taluka Kalwan, district Nasik, were suspended in March or April last, and that some Mangs were appointed to do their duties ;

(b) if so, why ;

(c) whether it is a fact that the Mangs were continued in office not only during the period of service of the above-mentioned Mahars, but also for some portion of the period of service of their successors and that the latter complained to the local officers against this infringement of their rights ;

(d) whether it is a fact that the above-mentioned Mahars who were suspended have been ordered to pay for the services of the Mangs appointed in their place, not only for the remaining portion of their period for which the Mangs worked, but also for the days out of the period of service of their successors, for which the Mangs were permitted to work ;

(e) whether the suspended Mahars have complained against this action of the local authorities ? If so, what action has been taken by the local authorities with regard to their complaint ;

(f) whether it is a fact that the action of the local authorities in suspending the Mahars, demanding from them payment for the services of the Mangs for the whole period during which the latter worked, has

caused discontent among the Mahar community, and if so, what steps are being taken to remove that discontent?

The Honourable Sir CHUNILAL MEHTA: Information has been called for.

#### TOWN PLANNING SCHEME, NASIK.

Mr. R. G. PRADHAN (Nasik District): Will Government be pleased to state—

(a) whether they have received from the persons affected by the town-planning scheme, Nasik, a representation embodying their objections to the scheme and urging that it should not be sanctioned;

(b) if so, what action they have taken thereon?

The Honourable Sir GHULAM HUSSAIN: (a) Government received a resolution passed at a public meeting of the citizens of Nasik held on 12th January 1925, expressing its strong disapproval of the scheme and urging that it should be revoked.

(b) The President of the Meeting was informed that as required by section 13 of the Bombay Town Planning Act, 1915, the resolution should be submitted to the local authority and not to Government.

Mr. R. G. PRADHAN: Has the scheme been sanctioned by Government?

The Honourable Sir GHULAM HUSSAIN: I want notice of the question.

#### RECORD OF RIGHTS IN INAM VILLAGES.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether they are aware that the record of rights has been introduced in inam villages without the consent of the inamdars in contravention of the explicit promise of Government that no such introduction will be made, without the consent of the inamdars;

(b) whether they are aware that the introduction of the record of rights in inam villages has given rise to conflicts between superior and inferior holders, causing increasing litigation;

(c) whether Government propose to take any action in the matter?

The Honourable Sir CHUNILAL MEHTA: (a) The consent of inamdars is not necessary for the introduction of the Record of Rights in inam villages.

(b) No.

(c) Does not arise.

Mr. S. A. SARDESAI: I hope the Honourable Member is aware that the Government of Bombay exempted the inam villages from the operation of the Act when the Act was passed. I am asking him at whose request that exemption was made. It is the Government of

Bombay who exempted the inam villages from the operation of the Act when the Act was passed. Was this done at the request of the inamdars? Why was such exemption made? Because Government in recognition of the old and the new rights. .

The Honourable the PRESIDENT: The honourable member is making a speech. He must ask a simple question.

Mr. S. A. SARDESAI: This is most important, Sir.

The Honourable the PRESIDENT: I want him to observe the proper procedure.

Mr. S. A. SARDESAI: I am asking the Honourable Member whether he is aware that the exemption of inam villages was made by the Government of Bombay when the Act was passed.

The Honourable Sir CHUNILAL MEHTA: I have tried to look these up. I think that they were exempted when the Act was passed, and the exemption was observed up to 1913. In 1913 a different procedure was adopted, as the honourable member will find if he refers to Joglekar's comments on section 135A of the Land Revenue Code.

Mr. S. A. SARDESAI: At whose request was the exemption order made—whether at the request of the inamdars or Government of their own accord?

The Honourable Sir CHUNILAL MEHTA: I want notice.

Rao Saheb D. P. DESAI: Was a new Act passed in 1913.

The Honourable Sir CHUNILAL MEHTA: No. The honourable member Mr. Sardesai asked a question of fact, and I have given him a reply that the inamdar's consent is not now necessary. I have further told him that this has been the case since 1913. I do not know at the moment and I cannot answer the question at whose instance this change was made.

Sardar G. N. MUJUMDAR: May I know the reasons why the consent of the inamdar was dispensed with?

The Honourable Sir CHUNILAL MEHTA: I cannot answer that question unless I get notice.

Mr. J. C. SWAMINARAYAN: Are Government aware that cultivators of inam villages are anxious to have Record of Rights so that their interests may be safeguarded from the encroachments of the inamdars?

The Honourable Sir CHUNILAL MEHTA: I am glad to have a different kind of opinion expressed.

Mr. S. A. SARDESAI: Is the Honourable Member aware that when the Gordon Settlement was made in 1864 Government promised inamdars on payment of a five annas jodi to exempt their lands from any further interference?

The Honourable Sir CHUNILAL MEHTA: I am not aware of that.

The Honourable the PRESIDENT: Next question.

## CONSTITUTION OF PANCHAYATS.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether they are aware of the evident defect in the constitution of the panchayat in making the patil the Sarpanch though, as being influential in the village, justice will very often be denied to parties with whom the patil does not side;

(b) if so, do they propose to take any action in the matter?

The Honourable Sir GHULAM HUSSAIN: (a) and (b) The Honourable Member's attention is invited to the reply given to his question \* on the same subject on 23rd February 1926.

## NOTICES AND SUMMONS TO INAMDARS.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether they are aware that the position of the inamdar is lowered by the usual words used by Government authorities in their notices and summons to the inamdar;

(b) if so, do they propose to take any action in the matter?

The Honourable Sir CHUNILAL MEHTA: (a) It is not understood to what words objection is taken. There are instructions of the Bombay High Court that where the defendant is, in the opinion of the Court, of a rank entitling him to such mark of consideration a letter signed by the Judge or other officer may be substituted for a summons. These instructions are followed in the case of all Inamdars who are at the same time gentlemen of high position. They are however not followed in the case of petty inamdars who have no claim to be considered as of high rank.

(b) Unless any concrete instance is placed before Government it is not possible to take any action in the matter.

Sardar G. N. MUJUMDAR: What are the necessary qualifications for an inamdar to be considered of high rank? Does it depend upon the amount of income? Is the descendant of an inamdar of high position considered of high rank?

The Honourable Sir CHUNILAL MEHTA: These are the instructions issued by the High Court. It is very difficult to define the exact line where differentiation takes place, but I believe it is very generally understood by honourable members whether an inamdar is of high rank or not.

Sardar G. N. MUJUMDAR: Does it depend upon the amount of income he derives?

The Honourable Sir CHUNILAL MEHTA: I do not think so.

Dr. R. P. PARANJPEE: Will Government see that no distinction is made between persons of high rank and of low rank?

The Honourable the PRESIDENT: That is a suggestion for action.

Mr. S. A. SARDESAI : When writing a letter to the inamdar is it not the duty of Government to see that they do not use insulting language or treat the inamdar badly ?

The Honourable Sir CHUNILAL MEHTA : Certainly, I agree with the honourable member. Government do not use any insulting language.

Mr. S. A. SARDESAI : If I point out specific instances of Government officers addressing inamdars badly, will the Honourable member undertake to stop such practice ?

The Honourable Sir CHUNILAL MEHTA : I will certainly undertake to enquire.

#### AFFIXING OF RECEIPT STAMPS BY INAMDARS.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state—

(a) Whether they are aware that the prant officer, Northern Division, Bijapur District, has ordered Rao Saheb Deshmukh of Almel to affix stamps in acknowledging receipts of money dues when sent to him by village officers from inam villages ?

(b) If so, whether all inamdars in the Northern sub-division of Bijapur District have got similar orders ?

(c) Will Government be pleased to explain why they apply the provisions of the Stamp Act in such cases although inamdars are regarded as Dandale Sardars from time immemorial and were not required to fix stamps in acknowledging receipts for amounts sent to them by village officers ?

(d) Will Government be pleased to state what is the practice in this matter all over the Presidency ?

(e) Will they be pleased to state what action they propose to take in the matter ?

The Honourable Sir CHUNILAL MEHTA : Information is being called for.

#### GOVERNMENT PRIMARY SCHOOL, VINCHUR.

Mr. R. D. SHINDE (Nasik District) : Will Government be pleased to state—

(a) what was the number of boys on the roll of the Government primary school at Vinchur, taluka Niphad, district Nasik, on 1st April 1925 ;

(b) whether it is a fact that not even one Brahmin boy was on the roll then ;

(c) whether all the school panchas appointed by Government were Brahmins ;

(d) if so, whether Government propose to take any action in the matter ?

The Honourable Mr. B. V. JADHAV : (a) 133 (The school is a Local Board and not a Government institution).



(b) Yes.

(c) Yes, up to September 1924. The classification of the present school Panchas by caste is as follows :—

Brahmins	..	..	..	5
Marathas	..	..	..	4
Depressed	..	..	..	1
Mahomedan	..	..	..	1

(d) No.

Mr. R. D. SHINDE : The Honourable Minister has stated that the school is not a Government institution, but a local board school. Will he state how it is that the panchas came to be appointed by the mamlatdar ?

The Honourable Mr. B. V. JADHAV : They were appointed by the mamlatdar under the old practice.

Mr. R. D. SHINDE : Is that practice continued ?

The Honourable Mr. B. V. JADHAV : It is for the local board to move.

#### ASSAULT ON PUBLIC WORKS DEPARTMENT CLERK BY MR. PIPE.

Mr. R. D. SHINDE (Nasik District) : Will Government be pleased to state—

(a) whether it is a fact that Mr. Pipe, the Forest Engineer, beat a Public Works Department clerk and the *pagi* in charge of Harsul Bungalow in Peint in February 1925 at night ;

(b) what steps have been taken in the matter when the report from the clerk was received by the Executive Engineer, Public Works Department, Nasik District ?

The Honourable Mr. A. M. K. DEHLAVI : (a) No.

(b) No report of any kind was made to the Executive Engineer, Nasik Division, by the clerk. No action could, therefore, be taken in the matter.

#### DEAD STOCK FOR WEST NASIK DIVISION SAW MILLS.

Mr. R. D. SHINDE (Nasik District) : Will Government be pleased to state—

(a) whether it is a fact that dead stock such as machinery, corrugated iron sheets and other materials required for the saw mills in the West Nasik Division was purchased at one time for a period of five years ;

(b) if so, whether it was necessary to purchase such a big stock at one time ;

(c) whether any report for requirements on this scale was received from the officer in charge of the saw mills ;

(d) from whom and from where were the machinery and other materials purchased ;

(e) who is the officer who made the purchase ;

(f) whether it is a fact that the rates paid are higher than the rates offered by local merchants ?

The Honourable Mr. A. M. K. DEHLAVI : (a) No ; stock such as machinery, corrugated iron, etc., is purchased as and when required. (b) to (f) Do not arise.

Mr. P. G. JOSHI : May I know whether any provision has been made in the budget for the purchase of this machinery ?

The Honourable Mr. A. M. K. DEHLAVI : I want notice.

#### MANDVI TALUKA LOCAL BOARD.

Mr. H. B. SHIVDASANI (Surat District) : Will Government be pleased to state --

(a) whether the taluka local board, Mandvi, has on 28th April 1925, unanimously resolved that the taluka local board should get a cess on the income to Government from forests ;

(b) whether it is a fact that in Baroda State Local Boards are allowed cess at the rate of one anna and six pies in the rupee on all the income derived from forests situated within the limits of the local boards ;

(c) whether the taluka local board, Mandvi, maintains schools, roads, wells, dharamshallas of which advantage is taken by people living in forest villages ;

(d) whether they have considered the request of the taluka local board, Mandvi, and, if so, what decision have they arrived at ?

The Honourable Sir GHULAM HUSSAIN : (a) Yes.

(b) Government have no information on the subject.

(c) Yes.

(d) Yes. Government do not consider it necessary to take any action on the resolution in view of the fact that the taluka local board is not legally entitled to such revenue.

Mr. H. B. SHIVDASANI : Though Government are not legally bound to do so, will Government consider such a request ?

The Honourable Sir GHULAM HUSSAIN : I refer the honourable member to the District Local Boards Act, which was passed by this House and which does not allow Government to levy such cess.

Mr. H. B. SHIVDASANI : But have Government considered this request of the local board ?

The Honourable Sir GHULAM HUSSAIN : It is against the law to do so.

Mr. H. B. SHIVDASANI : Is it against the law to consider this request ?

(No reply.)

#### MHOWRA FLOWERS IN SURAT DISTRICT.

Mr. H. B. SHIVDASANI (Surat District) : Will Government be pleased to state—

(a) The names of places in the Surat District where Mhowra flowers are being sold ?

- (b) The use to which these Mhowra flowers are being put ?
- (c) Whether these Mhowra flowers are being used as food for cattle or men ?

(d) What precautions Government have taken to see that these Mhowra flowers are not used for the illicit distillation of liquor ?

The Honourable Mr. A. M. K. DEHLAVI : Information is being collected.

#### POONA RAILWAY STATION GATES FOR THIRD CLASS PASSENGERS.

Mr. A. N. SURVE (Bombay City, North) : Will Government be pleased to state whether it is a fact that there are two gates for the use of third class passengers in the new railway station at Poona, of which only one is kept open and the other is kept closed ?

The Honourable Sir CHUNILAL MEHTA : There is only one entrance gate for third class passengers at present, but when demolition of the present station building now proceeding is completed, two gates will be provided.

MOULVI RAFIUDDIN AHMAD : Is the honourable member aware that, as a matter of fact, there are two gates out of which one is not opened, and will the honourable member try to see that the other gate is opened ?

The Honourable Sir CHUNILAL MEHTA : I enquired about this and the railway authorities reported that it is not possible to have the two gates in use now until the old station is demolished.

Mr. A. N. SURVE : May I know the existing number of gates to the present station ?

The Honourable Sir CHUNILAL MEHTA : I believe the honourable member Moulvi Rafiuddin Ahmad just said that there are two gates.

Mr. A. N. SURVE : How many gates there are in all to the new station ?

The Honourable Sir CHUNILAL MEHTA : I think the honourable member will have to give me notice.

#### HORSE RACING IN BOMBAY CITY.

Mr. A. N. SURVE (Bombay City, North) : Will Government be pleased to state—

- (a) when the first race was run in the City of Bombay ;
- (b) how many race meetings were held in a year at that time, and also in 1904, 1914 and 1924 ;
- (c) what was the annual betting turn over for each of the years mentioned in (b) above ?

The Honourable Mr. J. L. RIEU : (a) The first organized race meeting is believed to have been held in 1809.

(b) There is no record of the number of race meetings held in that year. There were 19, 15 and 20 respectively in years 1904, 1914 and 1924.

(c) Government has no information.

## GAMBLING NEAR SARASPUR LIQUOR SHOP, AHMEDABAD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether their attention has been drawn to the gambling going on in the vicinity of the liquor shop of Saraspur, a suburb of Ahmedabad;

(b) if so, what steps they have taken to arrest the gamblers concerned and prevent the gambling?

The Honourable Mr. J. L. RIEU: (a) Government have received no reports.

(b) The matter is within the powers of the District Magistrate.

Mr. J. C. SWAMINARAYAN: Is it not in the hands of Government to make enquiries into the matter when a question is put in this House?

The Honourable Mr. J. L. RIEU: It is within the power of the District Magistrate to make enquiries.

Mr. G. I. PATEL: Is the honourable member aware of the fact that in several such instances information has been obtained by the District Magistrate?

(No reply.)

Khan Saheb A. M. MANSURI: Is the honourable member aware that reply was given to a similar question asked in this House in 1924?

(No reply.)

## ELLIS BRIDGE TOWN PLANNING SCHEME.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether they are aware that there is considerable opposition against the Ellis Bridge Town Planning Scheme of Ahmedabad;

(b) whether they are aware that numerous objection-petitions have been addressed to the Chairman of the Joint Ellis Bridge Town-Planning Board;

(c) whether these applications are forwarded by the Chairman to Government for consideration before final decision is arrived at?

The Honourable Sir GHULAM HUSSAIN: (a) and (b) Yes.

(c) No.

Khan Saheb A. M. MANSURI: Is the honourable member aware that these petitions were got up ones and not genuine?

(No reply.)

## WATER FOR FIELD NO. 710, KHARI CUT CANAL.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether Mr. Shankarbhai Prabhubhai, the sub-overseer of the Khari Cut Canal, attempted to take water to his own field No. 710 through Pipliwadi Kansi;

(b) whether it is true that, in doing so, he filled the Vatwa road 15 feet broad over a distance of 500 yards with knee-deep water and wasted an immense quantity of water at a time when there was great scarcity of water in the canal?

The Honourable Mr. COWASJI JEHangIR : (a) No

(b) No.

#### ELLIS BRIDGE TOWN PLANNING SCHEME

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state whether it is a fact that the Ellis Bridge Town Planning Scheme is intended for the benefit of well-to-do people who can afford the luxury of a hungalow with a big establishment?

The Honourable Sir GHULAM HUSSAIN : No

Mr. J. C. SWAMINARAYAN : For whom is it intended?

The Honourable Sir GHULAM HUSSAIN : For the rich as well as for the poor.

Khan Sahab A. M. MANSURI : Are Government aware that Ellis Bridge is only one mile from the city and not three miles as my honourable friend the honourable member Mr. Swaminarayan puts?

The Honourable Sir GHULAM HUSSAIN : I think the honourable members should settle it between themselves.

#### BORING AT SANAND.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether they have been experimenting to increase the yield of the boring at Sanand,

(b) if so what has been the result of those experiments;

(c) whether the experiments are finished,

(d) if so, why the fitting up of the boring with a cistern, pipes and cocks, as stipulated by one of the donors and agreed to by Government, has not yet been done?

The Honourable Sir GHULAM HUSSAIN : (a) Experiments have been carried out with a view to determining the probable increase of yield that may be expected if the outlet from the boring is placed at a lower level.

(b) An appreciable increase of flow is expected at the level which is now being adopted for the outlet.

(c) Yes.

(d) The construction of the cistern with pipe and cocks is in progress, and it is hoped to have this work completed by the end of March 1926.

#### WATER WORKS AND DRAINAGE GRANT TO AHMEDABAD MUNICIPALITY.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether the municipality of Ahmedabad has applied to them for a grant of 50 per cent. of the expenses for the extension of water works and drainage in the city of Ahmedabad;

(b) if so the amount of grant asked for and what decision they have arrived at in the matter?

The Honourable Mr GHULAM HUSSAIN: (a) Yes.

(b) The grant in aid asked for amounts to roughly Rs 31 lakhs. Owing to financial stringency, however, Government are unable at present to promise any grant in aid but the question will be reconsidered when the Municipality actually undertakes the drainage extension scheme.

Mr G. I. PATEL: Is the honourable member aware of the fact that for more than four months the scheme is practically in full swing of progress?

The Honourable Mr GHULAM HUSSAIN: If this honourable House gives me funds I have no objection to sanction it. When there is no money how can I order it to be taken in hand?

#### PRIMARY TEACHERS, KOLABA DISTRICT.

Mr S. K. BOLE: Will Government be pleased to state—

(a) the number of posts carrying postal allowance held by primary teachers in the Kolaba district;

(b) how many of them are held by Brahmins and by backward and depressed classes respectively;

(c) the number of unpassed teachers in the Kolaba district and how many of them belong to the Brahmin and other communities?

The Honourable Mr B. V. JADHAV: (a) 22.

(b) 16 by Brahmin and 6 by non-Brahmins, two of whom belong to 'advanced' classes and four to 'intermediate' classes.

(c) 122; of whom 16 are Brahmins, 37 non-Brahmins and 39 Mahomedans.

#### POSTAL ALLOWANCE FOR TEACHERS IN SELECTION GRADE.

Mr S. K. BOLE: Will Government be pleased to state how many teachers drawing salaries according to the selection grade get the postal allowance in the Kolaba district and how many of them belong to the backward Maratha classes?

The Honourable Mr B. V. JADHAV: Two, neither of whom belongs to the backward Maratha classes.

#### DEPRESSED CLASS BOYS IN KOTHALE SCHOOL.

Mr S. K. BOLE: Will Government be pleased to state—

(a) whether it is a fact that one Mr. Krishnaji Waman Purandare, a member of the taluka local board, Purandhar, district Poona, went into the school at Kothale, taluka Purandhar, and directed the headmaster not to allow the depressed class boys to sit together with the other boys;

(b) whether the headmaster was transferred on that account;

(c) whether the mamlatdar carried on a one-sided enquiry and submitted a one-sided report to higher authorities regarding the anonymous letter sent to His Excellency the Governor of Bombay in the matter ;

(d) whether the mamlatdar took the signatures of one Shankar Maruti Kalane on two blank papers ;

(e) whether Shankar Maruti Kalane has written a letter to the Collector stating all the facts ;

(f) if so, what steps has the Collector taken in the matter ?

The Honourable Mr. B. V. JADHAV : (a) Evidence is conflicting as regards this allegation and it cannot be said whether it is true or not.

(b) The transfer of the headmaster was due to unsatisfactory conduct generally.

(c) There is nothing to show that the enquiry held by the mamlatdar was one-sided.

(d) There is no evidence in support of the allegation, except the statement of the writer of an anonymous petition.

(e) Yes.

(f) None ; as he understood that Government were already in possession of the facts.

#### APPOINTMENT OF CIVIL SURGEON, NASIK.

Mr. S. K. BOLE : Will Government be pleased to state why Mr. Mone was appointed Civil Surgeon at Nasik in preference to many university qualified men with records of war service and also in preference to senior officers who had acted as civil surgeons ?

The Honourable Mr. B. V. JADHAV : Mr. Mone was appointed for administrative convenience as arrangements had to be made immediately to relieve Major Candy, I. M. S., who was transferred to Ahmedabad. Mr. Mone was proposed in this case on account of his extensive surgical experience and outstanding merit. The appointment was for a short period only.

#### MEDICAL ALLOWANCE FOR B. M. S. OFFICERS ON JAIL DUTY.

Mr. S. K. BOLE : Will Government be pleased to state whether the medical allowance of B. M. S. Officers is uniform in all jails and, if not, why ?

The Honourable Mr. J. L. RIEU : The allowances are not uniform as the conditions of service are not uniform.

#### JAIL MEDICAL ALLOWANCE, THANA AND VISAPUR

Mr. S. K. BOLE : Will Government be pleased to state why the jail medical allowance at Thana and Visapur has not been raised as in the case of other prisons ?

The Honourable Mr. J. L. RIEU : Because they are considered sufficient. There have been no recent revisions at other prisons.

## TOLL ON ALIBAG-REVAS ROAD.

Mr. S. K. BOLE : Will Government be pleased to state when they propose to remove the toll tax on the Alibag-Revas Road in the Kolaba District ?

The Honourable Sir GIULAM HUSSAIN : Government are abolishing tolls gradually. The abolition of toll on the Alibag-Revas Road will be considered along with others next year.

## OVERTIME ALLOWANCE TO PEONS, LEGISLATIVE COUNCIL.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) whether any bonus was paid for overtime work done during the session of the Council by the peons attached to the office of the Bombay Legislative Council ;

(b) whether it is discontinued now and if so, why ?

The Honourable Sir HENRY LAWRENCE : (a) A small bonus was paid for heavier work involved.

(b) Yes, as the practice of granting extra remuneration was considered by Government to be objectionable.

## ALLOWANCE DRAWN BY SWARAJ PARTY MEMBERS OF THE BOMBAY LEGISLATIVE COUNCIL.

Mr. S. K. BOLE : Will Government be pleased to state whether the Swaraj Party members and their associates in the Council have drawn any allowance for the days when they took no part in the business of the Council during the last session ?

The Honourable Mr. J. L. RIEU : Some have and some have not.

## HEIRSHIP ENQUIRY IN VILLAGES.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state -

(a) whether they are aware that in inam villages heirship enquiries are made by the village officers, though the inamdars have been given exclusive rights in the matter ;

(b) if so, whether they propose to take any action in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) According to the instructions in the Manual of Revenue Accounts for the maintenance of the Record of Rights heirship inquiries of deceased Kabjedars, both in Government and alienated villages, are to be made by village officers in non-disputed cases. Inamdars can make such inquiries only in respect of Jadid Inams. Even before the introduction of the Record of Rights it was the Mamlatdar, and not the Inamdar, who was empowered to direct the entry of the name of heirs of deceased holders of inam lands to which survey settlement was applied.

(b) No.



Mr. S. A. SARDESAI : I think the honourable member is aware of the customary rights of the Inamdars and the old Land Revenue Code contained provisions of safeguarding inamdars' customary rights ?

The Honourable Sir CHUNILAL MEHTA : I fear, I have not been entirely able to follow the supplementary question but the reply that I have given to his question probably covers his second question.

Mr. S. A. SARDESAI : May I ask the honourable member a general question whether Government can do away with the customary rights of Inamdars ?

The Honourable Sir CHUNILAL MEHTA : I fear I will have to give a general answer. The general reply is that I should like to have notice of the question.

#### RAYATS OF BALLOLI.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state—

(a) whether they are aware that in Ballolli, taluka Indi, district Bijapur, the names of the rayats have been entered in the C register of the Record of Rights (Village Form VI) though they have been shown to be annual tenants by proving the beginning of their tenancy ;

(b) if so, do they propose to take any action in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) Their names were entered after the usual local inquiries by the Assistant Collector.

(b) If their names were wrongly entered it is for the Inamdar to take steps to have the error rectified.

#### SEALS OF INAMDAR KHATEDARS.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state whether they are aware that the seals of the inamdar khatedars are not now affixed to the Khata, Kirdi and other papers in inam villages ?

The Honourable Sir CHUNILAL MEHTA : Information has been called for.

#### ELECTION OF PUBLIC ACCOUNTS COMMITTEE.

The Honourable the PRESIDENT : The next business is the election of the Public Accounts Committee. The Secretary will now distribute the ballot papers. Ten nominations have been received for 8 seats. Honourable members are aware that the election is on the principles of proportional representation. In order to refresh the memory of honourable members I will read the relevant sub-clause to Rule 33 which bears on the subject :—

"The Committee on Public Accounts shall consist of such number of members as the Governor may direct, of whom not less than two-thirds shall be elected by the non-official members of the Council according to the principle of proportionate representation by

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means of the single transferable vote. The remaining members shall be nominated by the Governor."

His Excellency the Governor has intimated that the Public Accounts Committee shall consist of 12 members and therefore honourable members are now called upon to elect 8 out of the 10 nominated.

I take it that every honourable member desiring to vote has put in his voting paper in the ballot box. Now I will proceed to appoint scrutineers. Last year the following scrutineers were appointed and it has to be remembered that the election is on the system of proportional representation and therefore a great deal of experience is required to bring in the report. Therefore, it is my intention to renominate all those who were appointed last time. But there is some difficulty, as the honourable the Deputy President, who was a scrutineer last year, is unwell and unwilling to serve because he is unwell, and Khan Bahadur Cooper, who was another scrutineer last year, is one of the candidates. I have, therefore, decided to nominate Mr. Swaminarayan and Mr. Hooseinbhooy A. Lalljee, who were scrutineers last year, and the two new members I will put in are Dr. Paranjpye and Mr. Shinde. I should like to know from the scrutineers what would suit them best, whether they would retire now and proceed with their work or they propose to do it during the tea interval, or whether they will do it after 7. I should like them to consult among themselves as I want to leave it to their convenience, and then let me know in a few minutes' time.

Dr. M. M. MEHTA (Surat City): Mr. President, some misunderstanding seems to have been caused by my remarks yesterday against the system of appointing medical professors and specialists in various departments. I never meant to say, Sir, that the persons appointed are incompetent or inefficient. What I wanted to say was that the system was at fault. If professors and specialists have to be appointed, it is always much better that the best selection should be made either from India or from anywhere else in the world. I simply wanted to say that the whole system was at fault, and not the persons appointed. Fortunately, in the I. M. S. there are some of my best friends against whom no remarks could ever be made to cast any reflection on their competency or efficiency. In illustrating my remarks I mentioned casually that an assistant port health officer was appointed Professor of Midwifery. I still stick to what I said about it, Sir. But, of course, Government, under the circumstances, were only making the best selection from among the ranks of I. M. S. officers. It was no fault of this Government since their field of selection is restricted to the number of I. M. S. officers. But my contention is, whether in Bombay or anywhere else, why should it be so restricted, and Indians with better qualifications for the moment, be not selected at a cheaper cost? I hope that the misunderstanding, if any, is now removed and the Bombay Government would raise a protest against the system soon.

Now, coming to the subject of the mortality figures, they cause a very great loss to the State and I still contend that the Honourable the Finance

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Member has not cared to effect any reduction in those figures in last so many years. I will illustrate this by a simple example. I said yesterday that the mortality was 5 lakhs per annum in this presidency. This is double than it is in England. Therefore more than 2 lakhs of people die of preventible diseases in the presidency. That means so much loss to the State. Taking an average income of a person to be Rs. 50 per annum the loss to the State by losing 2 lakhs of men is something like a crore of rupees in our Presidency alone. I do not understand how the Honourable the Finance Member could ever allow a loss of 1 crore to the budget. I have rendered the loss of men into money, in case the Finance Member would like to know what a heavy loss is caused to the State by such a heavy mortality.

Then, I have got a few words to say about education. I do not find, Sir, in the budget some progressive scale about better provision of education. The teachers seem to have been neglected. The primary teachers are not paid adequately and their demands have been from time to time ignored. The children also are neglected. I do not see any progressive reforms for bettering the education of children. I find, Sir, that the system of cram is still being kept up in schools and the young children are made to cram so many things which are not intelligible to them. In various civilised countries now this cram system is being given up and the difficult subjects are being taught by means of cinemas, theatres and such attractive methods. I wish the Finance Member should have thought of this and made suitable provision in the budget. Taking secondary education, Sir, I find the same deplorable condition in the budget. No attempt is made to improve secondary education. Here, too, the system of cram is being kept up from one end to the other. I would quote an example of a young nephew of mine, who is in the fifth standard and who came to ask me what the chemical result would be of a combination of Potassium Iodide and Hydrarg. Perchloride. It took me a very long time to explain to him the exact chemical result from a combination of these two substances. A boy from the fifth standard, I think, is not expected to know all this from books. If sufficient funds are provided in the first instance to make the subject very interesting, I am sure this cram system could be done away with. So I say that very material improvement is desired in the system of secondary education also. Coming to the district sanitary officers, I submit that the assistant directors of public health are persons who mainly supervise the work of vaccination. It is a misnomer to call them assistant directors of public health. In the last report on Public Health of the Presidency, I find that the main object for which these posts were created was the supervision of vaccination, and I repeat, Sir, it is a misnomer to call them assistant directors of public health. I should have very much liked to have seen these posts abolished, and double the number of district health officers appointed in their place. The district health officers would be able to look after the health of their districts much better than these assistant directors of public health, who cannot go from one place to another within a short time, their charge being very extensive.

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Then, Sir, about the vaccinators, I do not find in the budget better provision for employing better class of the vaccinators. They are drawn from a class of very poor people and they are paid Rs. 20 to Rs. 50 per month. Now, I am sure that on Rs. 20 a month you cannot get a *hamal* in Bombay. And such a highly technical work as vaccination cannot be expected from these low paid people to be satisfactory at all. It is a deplorable state of things, and I think the life of the people of the presidency so far as this branch of health is concerned is not well cared for and this budget gives no relief to the people of the presidency in this respect.

Then I find, Sir, that a grant of Rs. 90,000 has been placed at the disposal of municipalities for employing health officers and sanitary inspectors. Now, the municipalities that will avail themselves of this grant are very few, for example, Ahmedabad and Poona, and Surat, etc. These major municipalities have got to provide for health officers, and they can do so without this help which could be utilised in a better way elsewhere.

The Honourable the PRESIDENT: The honourable member has only three minutes more.

Dr. M. M. MEHTA: Thank you, Sir. Even if those municipalities have themselves to pay the full salaries of the health officers, the expense will not be very much and they can do it from their incomes. So, if this grant is deleted from the budget, I do not think the municipalities will make any complaint about it if it is to be utilised for a better purpose.

Then, Sir, I find that grants to municipalities for sanitary projects have been altogether omitted from this budget. This is a very important item, and I do not see why it should have been omitted from the budget. So many sanitary projects have got to be undertaken by the municipalities, and unless Government provide money for giving annual grants, the municipalities will never think of undertaking these sanitary projects.

The Halliue Institute was subjected to severe criticism by this Council on the last occasion, and it is my painful duty to repeat the same this year. I do not see why the officer in charge of this Institute is always selected from the ranks of the I.M.S. when equally competent research scholars are available in Bombay. If this post is to be held by a specialist, his selection should be made from among the best men in or out of service. Then again, a Special Research officer on Rs. 3,500 has got to be brought from England. I submit, Sir, that services of an equally competent Indian could have been obtained at less cost. Services of such specialist and experts should be obtained from any part of the world whether Germany or America.

Now, after having made myself clear about the relation between mortality and the loss to the State, in conclusion I would say that further taxation means still further lowering of the capacity of the people of the province, more poverty, starvation, diseases and deaths and I

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request the House not to pass any further taxation bills which are to be placed before the Council during this session.

The Honourable Mr. COWASJI JEHangIR : Mr. President, for two very good reasons, I do not propose just now to go into the details of the Back Bay Reclamation project. Honourable members who have alluded to the project up to now have not gone into the merits of the question, but have simply referred to it, and have also further stated that they proposed to discuss this question in detail when the budget demand comes before this House in a very few days. Secondly, Sir, you, very rightly, have given each honourable member twenty minutes, and it would not be possible for me to explain to this House all the details of all the actions that Government have taken with regard to the Back Bay Reclamation scheme, within the twenty minutes allotted to me. For these two reasons I do not propose to go into the whole question of the project to-day but I will take this opportunity of replying to one or two criticisms that have fallen from the lips of some honourable members opposite.

My honourable friend Mr. Nariman informed this House, and rightly, that our programme as to industrial housing was completed and that our activities in the Suburban Division had been suspended, and therefore he wanted to know what justification there was for Government to continue to draw four-sevenths of the cotton cess. I am afraid he has not read very carefully the provision in the Municipal Act. The Municipal Act provides that the municipality shall collect this tax, and that four-sevenths of it shall be handed over to Government. Four lakhs of the amount thus handed over shall be devoted to suburban development, the balance shall be used for industrial housing. The Act further provides that any moneys so allotted may also be utilised for the payment of interest on loans raised and utilised for the aforesaid purposes respectively, and for the provision of sinking funds for the repayment of such loans. Therefore, as long as Government have a loss on the loans which they have raised for these two purposes, so long are they entitled to draw their share of the cotton cess. Further, it provides that if the municipality exercise their option of taking up these chawls after 1936, the municipality shall get a portion of the cotton cess which Government are drawing at present. That is the reply to my honourable friend Mr. Nariman.

My honourable friend Dr. Dadachanji also raised a similar point. He said that it was a well-known fact that these chawls were not a paying proposition, and that he feared that the Corporation might be landed in a loss on account of this enterprise of Government. The Act provides that after 1936 the Corporation have the option of taking up all chawls that Government may have constructed up to that date, on payment to Government the value of the chawls on that date. If there be any loss on that date, the Corporation are entitled to retain an amount equal to the loss; out of that portion of the cotton cess which is now being handed over to Government. The Corporation are not bound to exercise the option in 1936.

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They have also got the right of exercising their option at any time after 1936, giving six months' notice. I contend, Mr. President, that, under this legislation, the Corporation are completely protected, and there should be no ground for apprehension or fear as far as the Corporation are concerned. There are the only two points that I can find from the speeches of my honourable friends opposite. I must refer to the speech of my honourable friend representing the Indian Merchants' Chamber. He took exception to the answers given by Government to the questions he has put in connection with the Development Department. Government have taken the greatest care to give the fullest information to honourable members with regard to all their questions. Every point raised in the questions have been replied to. But my honourable friends opposite ask supplementary questions. I would like honourable members on the opposite benches to realise the difficulties of members on this side of the House in answering these supplementary questions. Very often these supplementary questions ask for facts and figures. It is not possible for members of Government to carry in their head all these facts and figures and the terms of the agreements that Government may have entered into. Over and above the information they ask for in the questions they require more information and expect it to be produced on the spur of the moment. For instance one honourable member asked for the terms of the agreement that Government have entered into with the G. I. P. Railway. Is it possible, Mr. President, to answer that question off hand without refreshing my memory? I was asked the estimated loss on certain schemes in supplementary questions. Is it possible to answer these questions on the spur of the moment? I would therefore request my honourable friends opposite to give notice of these questions in writing and I will undertake to give complete answers; but they cannot expect more information than they ask for in their questions. If honourable members take more care to see that their questions contain all the information they require they will find that their questions are fully answered. Because they have not done so they feel aggrieved. Let them make their question as comprehensive as possible and I assure them that they will get a complete answer. Honourable members cannot expect Government to volunteer an answer; nor can we guarantee full information on supplementary questions. So far as I am concerned, I guarantee to give all information if the questions are sufficiently comprehensive.

Now, I will turn to one or two allusions made by honourable members with regard to the decision of Government on the Ghataprabha Project. A press note was issued in this connection in August or September last which explained the position of Government. But it is possible that all honourable members of this House have not read that press note. The Government investigated the Ghataprabha scheme in detail. The estimate was the small amount of 6½ crores. The return was estimated on a very optimistic basis at 2.1 per cent. If we do not get 20,000 acres under sugarcane the return will be far less. Further it entailed the inundation of 25,500 acres of rice land, the total destruction of 14

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villages and partial destruction of 22 villages. It will dishouse 22,000 people. Half of the land under command in this scheme is in Indian States. Now, Sir, we have heard a good deal during this session about the cautious policy that Government should adopt in their loan programme. I think it is time that the Council and Government should consider this point seriously. But at the same time I do not think it lies in the mouth of any honourable member to urge the Government to go in for a further loan programme of 6½ crores in order to undertake a project of this character. Mr. President, Government are not neglecting the question.

Mr. S. A. SARDESAI : On a point of information.

The Honourable Mr. COWASJI JEHangIR : After I finish.

Government are investigating the Markandya scheme which will command about 19,000 acres of land. There is another small scheme in Bijapur district which will command about 16,000 acres. I think honourable members will realise that Government dare not go to the Secretary of State for sanction to a scheme of the character of the Ghataprabha project; nor would they put a scheme like this before honourable members for their consideration.

I have nothing more to say on this occasion and will reserve my throat and energy for another day. I should like honourable members, if they care to do so, to inspect the reclamation before the Development Department budget comes on for discussion. It would be advisable for them to do so, because then they will be able to follow the report of the advisory committee better. I will make the necessary arrangement for taking as many members as would like to go on Sunday next or any other convenient day.

The Honourable the PRESIDENT : I should like to draw the attention of honourable members to the fact that while I found it difficult to find any member getting up to address the Council on the budget on the first day, I find now that 10 members stand on their legs. I wish to point out that if every honourable member thinks it his duty and honour to take the full 20 minutes there is time for only 7 honourable members after allowing reasonable time to the Honourable the Leader of the House to reply. I find, however, that there are already 10 honourable members desiring to speak. How can I allow every honourable member who wishes to speak on the third day the full 20 minutes? Though I have got the option of curtailing the time, I have refrained from doing so, because I feel that 20 minutes is not adequate time to deal with the whole budget unless a considerable amount of self-restraint is exercised by honourable members. I would prefer instead of curtailing the time to leave it to the good sense of honourable members to finish their speeches within ten minutes if possible. I do not wish to lay down a time limit until I find that my appeal has not gone home. I have drawn honourable members' attention to this fact that if every honourable member wishes to take his full 20 minutes it will deprive other members of the opportunity

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to address the House on the budget. I hope that aspect of the question will be borne in mind by honourable members in addressing the House.

Mr. B. G. PAHALAJANI (Western Sind) : Sir, after your appeal, I thought of not taking part in the debate, but as to-morrow we are going to have before us the finance bill introducing new taxation, I have thought it proper to place before the Council my view that with the present budget showing an apparent deficit of 60 lakhs, it is not necessary to enter on any fresh taxation, chiefly on the ground that the figures placed before us by the Honourable the Finance Member ever since he took charge have always shown an excess of expenditure over income. It may be that the ability of the Honourable the Finance Member is responsible for our always having in the budget figures of income that are less than the expenditure, but 18 months after, when actual accounts are taken, we always find that there is an excess of income over expenditure. This accounts for the accumulation of our balances of over 5 crores. The Honourable Sir George Curtis retired on 1st April 1921, and was succeeded by the Honourable the present Finance Member. The first budget that the present Finance Member presented was of 1922. That was a memorable year, and according to the budget he presented we were confronted with a *minus* balance, that is to say, at the end of the financial year 1922-23, Government was expected to have nothing in the treasury to live upon, in other words to be bankrupt. That was the year when the Honourable the Finance Member proposed a crore of rupees to be levied by fresh taxation by means of the Court-fees Act, the Stamp Act and the Entertainments Act. The Entertainments Bill, introduced by the Honourable the Irrigation Member (Mr. Cowasji Jehangir), who was then the Revenue Member, was anticipated to produce an income of 16 lakhs, and the other two Acts were anticipated to produce an income of 40 lakhs each. In short, it was anticipated by the Honourable the Finance Member in 1922-23 that the balance of 3 crores which entered into the hands of the Honourable Sir George Curtis would dwindle by the end of the year 1921-22 to only 87 lakhs, and we were told in this Council that by the end of 1922-23 Government would have to work with a *minus* balance or zero. Sir, the House was not then disposed to take the Honourable Member at his written word, and the House, with a strong sense of responsibility which has never been shown by this House again, that year insisted that a cut of 60 lakhs should be made in the expenditure by the Government. I remember the day—23rd February—when this House led by the honourable member Sir Purshotamdas Thakurdas insisted that a cut shall be given. I remember the *Holi* holiday that followed it, and I remember the negotiations carried on by the Honourable Sir Chunilal Mehta and Sir Chimanlal Setalvad for the Council accepting a cut of 60 lakhs by way of reduction in expenditure. Then, Sir, we were told that the new taxes imposed would produce a crore of rupees and that with that crore of rupees we would be able to maintain our balance—that we will be able



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to convert the *minus* 31 into a *plus* 58. But, Sir, the enhanced court fees and stamp duty did not yield the amount of 80 lakhs foretold. As every honourable member will find from the figures given, the stamp duty and court-fees rose from 164.4 lakhs to 176.6 lakhs the next year and to 179.9 lakhs the year next. That is to say, during each of the next two years they only rose by 15 lakhs. Under the Entertainments Tax, the first year's levy was 2.7 lakhs, the next year's was 9.6 lakhs and the third year's was 9 lakhs. So that the figures given by the Honourable the Finance Member in 1922-23, on the strength of which this House was prevailed upon to sanction these two taxes, were not realised. But looking at the actual figures realised and spent, we find that the actual figures of income in 1922-23 were far in excess of the adverse budget expectations, an excess of over 101 lakhs or a crore of rupees. So that, the actual working of the year 1922-23 did not produce a reduction of the balances as the Honourable the Finance Member anticipated inspite of the taxes bringing in an income of 15 lakhs only. In 1923-24 the budget was again presented by the present Finance Member, Sir Henry Lawrence. Then also we were told that the expenditure was in excess of the income by 18 lakhs. In 1924-25, the budget was presented by the Honourable Mr. Cadell, but it was framed by the same Finance Member who was then ill and on leave, and the Honourable Mr. Cadell presented it as his successor. In that budget we were told that at the end of the revised budget there would be an excess of income at the end of 1923-24 over expenditure by 25 lakhs, but that after the year 1924-25 we should be satisfied with an excess of 11 lakhs only. The year 1924-25 has ended, and the revised estimate of 1925-26 is now before us, and the year 1926-27 is the year for which we are budgetting. There was an excess of 87 lakhs instead of 25 in 1923-24 actuals: and a similar excess over 11 lakhs about 99 lakhs of income over the expenditure. All along though threatened with decreasing balances, the Honourable the Finance Member has reported at the end of every year that there has been an addition to, not subtraction from, the balances by one crore. This is the state of things during the last five years during which the Honourable the Finance Member has held the portfolio of finance.

A brief statement of these figures will be found at page 36 of the Blue Book. We find therefrom the revenue balance for 1921 and the debt balance for 1921-22. Now, here we find the revenue balance, the current balance of one crore and 44 and a debt balance of 49 arising out of loans, 49. That is to say a balance of 1.93, i.e., nearly 2 crores of rupees. The next year 1922-23 was the worst possible year in which we were told that the whole presidency was going to rack and ruin unless this House sanctioned the impost of Court-fees and the Stamp Act. You find in that year an enormous increase and you find there the balance has risen to 2.96 crores (nearly 3 crores) *plus* 45 from the debt heads, and the total net balance of 3 crores 41 lakhs at the end of the year. We find a provision of 61 lakhs for the famine fund this year, in all a total of 4.02 crores. So that all the fears that were placed before this

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Council by the Honourable the Finance Member were not only realised, were not only idle threats, the actual administration of finance came to a standing balance of 3 crores 41. Then, in 1923-24, again when we were expecting a very small amount only of 25 lakhs of rupees as shown by the then Honourable the Finance Member, the Honourable Mr. Cadell, we start with 3,41. 87 lakhs a saving of the income over the expenditure is the working of this year. Not the 25 that the Honourable Mr. Cadell wanted but 87 giving a current working balance, fluid balance, I will call it, of 4 crores 28. The balance arising out of debts and loans was 23 and you have got thus 4,51 crores, a balance of 4 crores and a half. Going to 1924-25 again, accounts of which have been taken, accounts of which are complete and are before us, you get not 11 lakhs of rupees as the Honourable the Finance Member then interpreted but you get then 99 lakhs instead as the difference between the income and the expenditure. Therefore the fluid balance rose to 5,50 as given on page 36.

Then, Sir, the last year which is not yet over about which the revenue budget estimates have to be taken into consideration, the last year which will end on 1st of April, we are told by the figures given on page 36 that the income will be 14,17 crores and the expenditure 14,58 leaving an uncovered excess of 41 lakhs.

The Honourable the Finance Member has already obtained a deduction of 36 lakhs and expects a deficit therein of 5 lakhs only on 31st March 1926.

If figures of actual income and expenditure for a series of years is any criterion of finance, I can assure the Council that when actuals are taken the difference between income and expenditure will not be -5 but +55 or +60, which has been obtained even in the worst possible year that has been presented before this Council. I am prepared to foretell that for him.

Unless the Honourable the Finance Member is prepared to tell us that all his calculations and foretellings were affected by circumstances over which he had no control, which I will never believe, or that they are, more or less, due to accidental underfalls, I may tell this House that the working of the last four years has given us every year a fluid saving of one crore between income and expenditure: If so, are we prepared to accept this *minus* 60 lakhs for the year 1926-27, as the correct figure at which we arrived at the end of 31st March 1926? Are we prepared to believe that there will be a *minus* figure 5 which has been carried over to the next year? The foretellings of the Honourable the Finance Member have always deceived him because at the end of the year he gets more income than the expenditure.

If all his fears have been found incorrect, then it is high time that this Council should not on the mere estimate of figures in the present budget grant any extra taxation.

I may also bring to the notice of this House that in 1922-23 when the estimate of 80 lakhs of rupees from Stamps was expected, he got only 14 or 15, so that even when his expectations upon the stamp duty fell

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short by 66 lakhs of rupees, he obtained an income which exceeded expenditure by one crore and one lakh. I, therefore, put it to the House that so long as the balances continue to accumulate the Honourable the Finance Member should not ask this Council to sanction fresh taxation during the next year. If when actuals are taken after the expiry of the year the income has actually fallen below expenditure, it will be the proper time to ask the House for fresh taxation. Therefore, I submit to the House that at present it should stand as a whole, the non-official side should stand as a whole against any proposals of taxation that are at present before us and that it should continue to insist that the same saving shall be made by the future Finance Member when he comes to take charge of this portfolio and that at present the foretellings that have been placed before us are not correct foretellings, and therefore all these taxation bills should be done away with. We can draw upon our balances if it becomes necessary to do that during the current year. But before we see any necessity for doing so, we cannot continue in that direction.

Another very serious point, Sir, placed by the Honourable the Finance Member is the granting of a loan of 103 lakhs to the Barrage on the construction. I ask the Council whether it is wise to allot such a large liquid balance to a concern like the Sukkur Barrage whose success will only be determined 20 years hence. I ask you also whether it would be fair and whether it would be in the interests of this Presidency to do so. That is a bad policy. Is it not a sign of opulence to pay 103 lakhs from the liquid balance to the Barrage or is it a sign of poverty and a taxation? I think the House must insist that 103 lakhs should not be dissipated out of the liquid balances on the Lloyd Barrage.

The Honourable Mr. J. L. RIEU: Mr. President, I undertake to be extremely brief in my observations. I have listened with great attention to the speeches which were made by honourable members from the opposite side with a view to replying to any of the criticisms which they may address on the subject of the departments for which I am at present responsible. This year I notice that there have been very few observations made with regard to these departments. No doubt the Development Department has drawn the thunder and lightning of the members of the opposition. There were however two specific points which were raised with regard to the departments under my control. Both points were raised by the honourable the leader of the Swarajist party. One was with regard to the judicial buildings which are now in course of construction in Poona. The honourable member appeared to consider that this expenditure was of an extravagant character. Well, with regard to this point I think it is generally admitted that it is one of the essentials of good judicial administration that the proceedings should be conducted in premises convenient, commodious and of suitable appearance. This however is a principle which Government find it difficult to follow universally on account of the shortness of funds. But if you have an opportunity of applying it I certainly think

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that it should. In Karachi it is now being applied and it has also recently been applied in Bombay. I may mention that as a matter of fact the local bar at Poona approached Government with regard to the inadequacy of the new buildings, it being their opinion that in point of accommodation the places in certain respects did not go far enough. I do not think there is any justification therefore for the assertion that Government have been unduly extravagant in this respect. Judicial administration as, I have said, cannot be efficient unless it is conducted in proper surroundings. One of the Council questions to which I have recently replied indicated the general complaint regarding the absence of sufficient accommodation in the courts. You cannot have it both ways. If you do not give us more money you cannot have decent accommodation.

The other point is one on which I am not prepared to make any remarks. That was with reference to the allegations of police torture in East Khandesh. I have indicated that the matter is now *sub judice*. I can only ask honourable members to suspend their judgment for the present as regards the allegations that have been made against the police. This disposes of the specific points that I have been able to detect in the honourable member's speeches, and I would now make a few observations of a more general character. There seems to be a general impression that Government in the Finance Department are unduly tender in their treatment of the demands of the reserved departments by comparison with the transferred departments. With regard to this, I should like to quote just a few figures to show to what extent the Finance Department have applied the horrid shears to our demands for grants, and I would leave it to the Council to judge whether they were not sufficiently drastic in their application to the reserved departments. There were new demands this year by the several heads of the Police Department which, after having been carefully scrutinised by the Home Department, amounted to 8½ lakhs. All these were ruthlessly cut out by the Finance Department.

Under Jails we have suffered a cut in our demands this year of 1 lakh of rupees: under Administration of Justice, a cut of 4½ lakhs. I would ask you honourable members to take my word for it that these were all pressing cases urgently represented by responsible officers and agreed to by the Home Department. Of course, we all suffer from the cutting down tendencies of the Finance Department. You have heard one Honourable Minister say the same thing, and I think I can say from my experience that the Finance Department has been singularly impartial in its treatment of the reserved and transferred departments.

Another point which has been made is that retrenchment should have taken the place of the present proposals for taxation. Well, in regard to that I would submit that, so far as these departments are concerned, retrenchment is practically impossible. In 1922 the Police Department underwent a very severe cut, and since then there have been no expansions of this service. Any increase of expenditure that has taken place has been entirely due to the rise in the cost of the

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individual members of the service; the actual services stand the same. And I am bound to say that, so far as my personal knowledge in Sind extends, the reductions that were there effected have proceeded very far and too far. It is one of the most urgent needs that there should be a restoration of the police strength in the mofussil areas. Government have at present proposals to this effect under consideration, and these proposals are of a very urgent nature. It is my personal experience that in the rural areas in Sind we do not at present extend to the people that measure of protection of life and property to which they are entitled. My honourable friend Dr. Paranjpye observed that he thought that, so far as these departments of Police and of Administration of Justice were concerned, we were working up to a high ideal. Well, we may have that ideal in view, but I can assure you honourable members that we are very, very far from attaining it.

I have already referred to the shortness of police and, in the matter of jails, we are extremely short of accommodation. In Sind there is one demand, a new demand, being made as an emergent measure—the re-opening of the old jail at Shikarpur which of late years has been used only as a subsidiary jail. This will, however, serve only to a small extent to relieve the pressure on our jails in Sind. In the Presidency proper, too, our jails are overcrowded, and it is simply impossible to effect any retrenchment in this direction. Here, again, the rise in expenditure, such as it has been, has been necessitated by no expansion of the department or of the services rendered, but simply by the increased cost of diets and so on. There are many requirements which we have in view to which we are unable to give effect. In Sind, again,—I speak of Sind more particularly as that is the province for which I have been responsible for several years and with which I am best acquainted,—the problem of cattle lifting is, as the House probably knows, an extremely urgent one, and my personal conviction is that it cannot be effectively solved without the establishment of a Criminal Tribes Settlement Department, such as we have in the presidency proper. Well, a scheme has been formulated for the establishment of such a department, but unfortunately I see very little prospect at present of its being actually put into operation.

As regards the administration of justice, we are met on all sides with demands for more courts, more stipendiary magistrates. It is impossible to conceive of any retrenchment being effected by reducing the number of courts. I do not suppose that any of the Bombay members, knowing to what extent the High Court is suffering from congestion of work, would care to see a reduction effected on the bench of High Court Judges. Similarly, in the mofussil, I am sure that the rural members would strongly oppose any proposals for suppressing any of the subordinate judges' courts.

Therefore, it comes to this that, so far as those departments for which I am responsible are concerned, no retrenchment is feasible, and if you honourable members, by declining the proposals of taxation, compel Government to resort to retrenchment, it will have to take

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place in the direction of those departments to which some of you, or the majority of you, attach greater importance. It must be realised that the primary function of Government is to maintain security of life and property throughout the territories administered by it, and it is not possible to judge of the expenditure on these departments concerned with this function by mere averages and percentages of increase. The irreducible minimum demands for the maintenance of law and order must be provided for, and it is in the highest degree dangerous to allow these services to fall below that standard which must be regarded as essential. Therefore, I press very strongly on this House to support the measures of taxation which will be shortly placed before it and thus to avoid the necessity of resorting to retrenchment, which certainly cannot be effected in the departments for which I am responsible.

MOULVI RAFIUDDIN AHMAD (Central Division): Mr. President, I have listened very carefully to the criticisms that have been passed on the budget speech of the Honourable the Finance Member and I shall not repeat what has been already said. Sir, it is rightly remarked that a successful administrator or a politician is one who has avoided the greatest blunders, and judging from this standpoint I desire to know whether the Honourable the Finance Member had anticipated this great blunder of the Development Department and done anything to avoid it. As the custodian of our finances, I thought that the Honourable the Finance Member would be able to give us a very satisfactory explanation of the difficulties in which we have been landed. I do not know whether other honourable members have carefully considered the speech, but I have gone through every word of it, and what has struck me most is that I do not find a single word of regret or apology for this blunder in the whole of his speech. What the public would like to know is whether, as Finance Member, he had ever entertained any apprehensions with regard to the success of the scheme and if he did, whether he took any steps to protest against it or any steps to take the members of this Council into his confidence. From what I see, he has himself encouraged hopes with regard to the success of the scheme, as honourable members would find that he had given glorious pictures of the scheme from time to time. I am sorry to say, Sir, that I do not find any explanation in the whole of his speech with regard to its failure. It might be urged that it was the mistake of an expert, that he relied upon the expert, but, Sir, this excuse can be maintained by a layman, but not by a responsible Minister of Finance, because he has always to do with experts. They always know that experts always differ as doctors differ, and the public would not take this easily as an excuse. I do hope that, when he replies, he will offer a satisfactory explanation about this matter. I wanted to follow the great dictum of Mr. Gladstone who always said that one need not wish good morrow to the devil until one meets him, and I wanted to defer my remarks about the Development Department till the whole thing came before us, but, as somebody has remarked, this is a Development Budget, and I desire to have all possible light from all Ministers and ex-Ministers upon this subject. I have

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given them food for reflection. My friend Dr. Paranjpye congratulated himself and the other Ministers in course of their scope of the responsibility for the bungle and said they were not responsible. I believe the public holds them to a certain degree responsible too.....

Dr. R. P. PARANJPYE : Not in the least.

MOULVI RAFIUDDIN AHMAD : ....as forming the Government of Sir George Lloyd.

Dr. R. P. PARANJPYE : No.

MOULVI RAFIUDDIN AHMAD : He is now a representative of the public on these benches, and he will throw, I suppose, all possible light upon the subject.

Now, I am coming to the next point, about fresh taxation. With regard to fresh taxation, it has been pointed out by the Deputy President by figures that it is not necessary. He has given us certain figures, which I hope and trust the Honourable the Finance Member will be able to explain. But I find myself in considerable difficulty. That difficulty is that if there is one thing more odious than a living tax it is certainly a dead tax, and the Honourable the Finance Member is reviving dead taxes and defunct budgets. I do not think that the Honourable the Finance Member is serious about this proposal (Honourable Members: Hear, hear), and I have my reasons. I admire his courage; he comes forward and blames us and censures the public for being fatalistic in this matter and does not agitate enough against the Government of India. In other words, he asks us to agitate and secure our share from the Government of India, and he admits that if what is due to us from the Government is given back to us, no more taxation is necessary. I say it would be folly then to support these proposals for fresh taxation. I believe the statement is inconsistent and that is because there is a struggle between Sir Henry Lawrence as Finance Member and Sir Henry Lawrence as a citizen of Bombay. If we allow fresh taxation, the Government of India might say "You are able to pay; why should we give you these grants and doles." Therefore, it is an argument not to support any fresh taxation. I am not against new taxation, if he makes out a clear necessity for it. Moreover, had he had not pointed out the source mentioned, certainly I would have considered the matter before rejecting his proposals, but from his own arguments, at present I think it is not necessary to support any fresh taxation. As the time at my disposal is short, I shall not make any further observation at this stage.

Mr. G. B. PRADHAN (Thana and Bombay Suburban Districts): Sir with your permission, I will offer a few observations as regards the financial position, as regards the speech of the Honourable the Finance Member, and the proposals for fresh taxation.

The Honourable the PRESIDENT: If honourable members, who propose to speak, would follow the example of the honourable member Moulvi Sahib, in concluding in ten minutes, many more honourable

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members would be able to address the House. On this occasion, honourable members need not go into details as regards the budget, because their opportunity of having their say amply on the various departments will be available to them for twelve whole days. The general principles governing the budget are all that are expected to be discussed during these three days. If they merely confine themselves to the general principles, I am sure ten minutes are more than ample to give expression to their views.

Mr. G. B. PRADHAN : And the general policy of Government in various departments, I believe.

The Honourable the PRESIDENT : Generally certainly, but not specifically.

Mr. G. B. PRADHAN : What I find, Sir, is that year after year deficit budgets are being presented to this Council. Why ? Because, before the reforms there was a rule that no deficit budget could be presented to any Council, and no extra expenditure could be shown unless it was of an exceptional character and of a non-recurring nature. The moment that control of the Government of India was removed we find that year after year deficit budgets—so-called deficit budgets—are being presented, and a case is tried to be made out that fresh taxation must be levied and that otherwise the two ends cannot be made to meet. I will show the other side of the picture, that after the reforms, what we do find is that four sub-sections 195 (a) to (d) are introduced in the Bombay Municipal Act, and thereby Rs. 20 lakhs are taken out of the cotton cess. The second achievement of the reformed Council, as soon as full control was given to it, is that they passed two Acts, the Court-fees Act and the Stamp Act, and also saddled the subjects with additional taxation. Then there came the Entertainments Duty Act and the Totalisator Betting Tax Act. When is the Government justified in levying a tax ? In the first place I wish to impress on the Government that the taxable capacity of the people of this province has been reached. Government go on accumulating their balances from which they do not want to draw. They do not get any interest on it ; but they get interest, I believe, on the Famine Insurance Fund.

The Honourable the PRESIDENT : Since the time of Sir George Lloyd's Government this Government is getting interest on the reserve balance.

Mr. G. B. PRADHAN : Even assuming that they get interest on the amount, where is the justification for accumulating the balance with the Government of India and go on taxing the subjects ?

My particular grievance is as regards certain departments. Government simply ask for sanction for a particular post for a particular period. When once the sanction is given that is never shown in the blue book as fresh expenditure. I will give you an instance.

In the case of Major Pogson's appointment sanction was asked for 7 months only and the continuance of the post has never been mentioned



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in the Blue Book. They go on continuing the post and renewing it for a fresh period without the consent of the Council. Is it not a fact that the post is a fresh burden? Should it not be shown as such in the Blue Book?

Then you want to make out a case for the re-adjustment of the Meston Settlement. You want also to show to the Government of India that the contribution of 56 lakhs paid by this Government is too heavy. They are also human beings who manage the affairs of the Government of India. Unless you make out a case that you cannot make both ends meet, how can you get the Government of India to reconsider your case with regard to the contribution and the share you have to get out of the income-tax revenue?

I wish now to refer to the Development Department. Last year during the budget session I said:

"Sir, it is painful to refer to the Bombay Development: it is painful to tell anybody that he is wrong. But I have read and re-read the speeches of the Honourable the Director of the Development Department and of the Honourable the General Member last year. The speeches do not satisfy me that the Development Department has been a boon to the community and will continue to be so. I think the Honourable Member in his expectation is wrong. The Government for which he speaks is wrong. The verdict of history will be they are wrong. We shall see. I hope I am wrong, and I wish I am wrong. Though I am an optimist I cannot entertain the faintest expectation that the Development Department will turn out a boon."

That is what I said last year: and my expectations have been fully realised. There is a dead loss of three to four crores of rupees. The first answer the Council wants from the Honourable the General Member is to the question: Who is responsible for ordering these dredgers when there was experience before Government of the Bombay Port Trust? A dredger of the same capacity ordered from the same company did not show an output of even 25 per cent. of the specified capacity. It is well known that the best dredgers are manufactured in the United States of America. In spite of expert opinion and the experience of the Port Trust before Government they had given the order for this dredger from the same company. Who gave the order for this dredger? We ought to know who is going to be held responsible for this waste of money? The person or persons who are responsible for ordering this dredger which did not give an output of even 25 per cent. of the specified capacity from the same company ought to be brought to book.

Then, Sir, we are asked to suggest retrenchments. I will suggest one retrenchment. Why do you want a suburban district? In 1919 when this suburban district was created it was stated that an expenditure of Rs. 60,000 only will be required annually. The Salsette taluka was administered by a mamlatdar. The Bombay Suburban District is carved out of that Taluka. Now, we have got a commissioner, a collector and a district superintendent, etc., separately for this suburban district. There is a separate commissioner and a collector who are expected to do some work for the Development Department. The development work in the Salsette area has been stopped. Then, why do you have a separate commissioner and a collector? Then the Honourable

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the Finance Member throws out a challenge and says who is so bold as to suggest any retrenchments in the Police and Administration of Justice. I admit we are not experts as regards that. But you find larger districts which contain greater population are being managed with less funds. If you are not able to make retrenchments yourself you can appoint experts who will do it. We find in Madras and Bengal that they are able to manage with less expenditure a larger population. If we suggest any method you will not act up to it and still we are solemnly told that if we do not sanction this taxation the efficiency of the administration will suffer. That is the burden of the song. Every time Government come forward and say that there is a deficit and that unless you sanction extra revenue the efficiency of the administration will suffer. Therefore, I submit, Sir, that this argument which Government trot out at every time is not sound.

As regards the Revenue Department, the greatest grievance of the people is that they are very arbitrarily assessed for non-agricultural uses of land and the powers of forfeiture are abused. I will give you an instance. If a man who has got a hut and if he merely changes it into a tin shed he is charged for non-agricultural use of the land. If he has two or three acres of land he is saddled with assessment for the non-agricultural use for the whole of the holding. Such a thing happened at Santa Cruz. In Lonavla if mango grafts are planted, assessment for non-agricultural use is charged, because they are described as ornamental trees. You do not know sitting in the office the hardship these poor people are put to. The powers under the Land Revenue Code are being used arbitrarily. The Land Revenue Code has undergone no changes. If these arbitrary powers are not altogether abolished they must at least be modified.

Then I refer with great pain to the incident in Sind. Two honourable members of this House Khan Bahadur Bhutto and Mr. Khuhro were turned out from the seats they occupied in the police sports that were held at Jacobabad. They were invited as guests. If that is the way in which guests are treated, I do not know what to say. They were seated in the third or fourth row of chairs and yet they were asked to vacate them. They were asked to get up by the Deputy Inspector General of Police and they had to walk away with that insult. That is the way in which members of this House were treated. A hue and cry was raised, but no reply is coming from Government. Government are not prepared to satisfy us as to what they have done. Is it their prestige that has come in the way? Therefore, I submit that Government should be good enough to enquire into this matter, or at least have the goodness to ask their officers to be courteous. If they do not give concessions, they should at least show the courtesy which a guest deserves from his host.

Mr. HOOSEINBHROY A. LALLJEE (Bombay City): Sir, I wish to try to save the time of the House, and so I do not wish to repeat what has already been said by the honourable member the Deputy President with whose views I agree with regard to the Finance Member, and his figures.

[Mr. Hooseinbhoy A. Iallee]

I will come first of all to the question of our relations with the Government of India. We have been complaining that the Government of India have been treating us very badly. But I find, Sir, that the fault lies with us and with us alone. We have got 351 crores of rupees as our true current balance. It has been laid down by Government and the Honourable the Finance Secretary has referred it to, that we need only 15 per cent. of our revenues as our balances. That has been the declared goal of Government. I do not therefore see why we should keep 25 per cent. of our revenues that is 351 crores as our balances. We are at present keeping at least 25 per cent. while I think the statute provides we must keep at least 25 lakhs. I believe it has been laid down that we ought not to keep more than 15 per cent. If our revenue is 15 crores, we ought not to keep as working balance more than 2,25 lakhs. If we have taken more from the people then we have done a wrong thing and I think it is the first duty of Government to remit it. If we tax the people to such an extent that we accumulate more than 15 per cent as our working balance, I think it is nothing short of extortion of the people, and I believe the people will be right in refusing any extra taxation as long as Government have more than 15 per cent. as working balance. I think the fact that we keep such a large balance is the real cause of the Government of India treating us so badly. They think that the people of the Bombay Presidency are rich as they can pay 50 per cent. more taxation than the people of other provinces. In season and out of season we have heard the Government of India saying that Bombay is the richest province. I do not know why they call it the richest province. I think it is because during the last five years the Bombay Presidency has given them 31 crores of income-tax and average of 6 crores out of about 16 crores for the whole of India. It was once said that if the Bombay Presidency did not exist the Government of India would have to curtail their expenses. This talk was heard by me at Delhi when I was there at the last budget time. I think, Sir, that is a true statement. Our Finance Member points out that we have passed through two serious crises. He tells us that as we have passed through two serious crises we can try and come successfully out of the third crisis, Sir, I would not have been surprised if such a statement had come from a military officer or a commander-in-chief, but it is regrettable that it comes from the Finance Member whose duty it is to be cautious and advise Government and people to be cautious. When the Back Bay bubble is still fresh in our minds it is wonderful that he asks the people to go ahead without caring for the consequences. Such a statement can only come from an insolvent who puts aside his surplus money for his own people and borrows money from the people. When people ask for repayment he says "I have come out successfully through two crises. I will gamble with the new money and I hope to come out successful the third time and pay you and further he says; I want to keep up my public entertainments as I must keep up my fame and reputation; and being born a rich man I must get more money from you." We have been called rich because we have a large surplus. But what is that surplus? It is what we have taken from the people in excess of

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what they have to pay. It shows that we have taken money illegally from the people. I put it to the Honourable the Finance Member to say whether it is right that he should take from the people a farthing more than what is required for our expenditure.

I won't go into the figures that have already been explained by the honourable member the Deputy President to show how the surplus has been acquired. We have seen that in almost all the years the estimates of income have been shown to be less than the estimates of expenditure, with the result that the people were asked to pay more than they ought to have been asked to pay. I ask the Honourable the Finance Member in all fairness to declare in this House that he will not take more than what is required to keep a working balance of 15 per cent. If we have more than 15 per cent., excess ought to be remitted in years like the present one. He says that we have come out of the crisis of last year. But I say that the conditions in the city of Bombay and the presidency are worse than they were last year. Last year I stated that 60 per cent. of the properties were mortgaged and at present it is still worst and that there was lot of unemployment and that unemployment was increasing. I wonder whether the Government benches are in touch with the people; I wonder whether they are residing in the Bombay presidency or elsewhere. The condition of the Bombay city and the Bombay presidency is to-day worse than it has ever been before, not excepting the time of the great famine and of the plague which periods the Honourable the Finance Member has mentioned.

Last year I drew the attention of the Honourable Minister for Local Self-Government to the fact that a part of the road repairs and maintenance that we were doing were directly or indirectly to the benefit of the Government of India. I find that the Honourable the Finance Member says that we have spent many lakhs more on the roads. We had about 4,100 miles of metalled roads and we have now got double that mileage. I ask whether it is not a fact that some of the roads are maintained also for the use of the military. If that is so, why does he not call upon the Government of India to contribute their share for the maintenance of these roads? Why does he not say to the Government of India "You are taking 5 to 6 crores of income-tax from us. Do please pay something towards the maintenance of these roads and for the repairs of these roads which we are making for you." I challenge the Honourable Minister to contradict my statement that some of the roads were undertaken by the Government of Lord Sydenham only for the purpose of the military. If he does not deny that, I want to know from him and from the Government whether these roads are not also maintained for the military. Every Government has to maintain roads for the military—I admit that. But my point is, that as we pay income-tax to the Government of India, we should ask the Government of India to pay towards the maintenance of these roads. It is because Government show that we are rich and do not ask anything from them that the Government of India are treating us in this way. All through roads from one end to

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the other of the presidency are useful and are maintained for military purposes as well.

Then again, I drew the attention of the Honourable the Excise Minister to the question of foreign liquor last year. I pointed out to him that the Excise Committee had recommended that the Government of Bombay should put themselves in communication with the Government of India in order to get control over foreign liquor and the revenue therefrom. I want a statement from him that he has asked the Government of India to give us control over foreign liquor and the revenue from it. We find that public health is sinking owing to the increased consumption of foreign liquor, while we are trying our best to reduce the consumption of country liquor, it is regrettable that foreign liquor should be allowed to ruin people. Now, Sir, with regard to the railways, I have already said in my last budget speech that they are not mainly for the benefit of the people, and I may tell the Honourable the Finance Member that they are more for earning dividends and employment outside India than for the benefit of the people of the country and if he still holds that it is not so, I will ask him to lay before the House a single instance of a railway line being constructed during the last couple of years which people wanted for this presidency.

Then coming to the figures that he has given about cotton, wheat, oil seed and other products exported from Bombay and Karachi, they are not all the product of the Bombay Presidency, but that because Bombay and Karachi happen to be exporting ports that these quantities have been exported and therefore they belong to us and other presidencies as well and therefore the figures that he has given should not be taken for the purpose of showing how rich we are.

Well, Sir, the Honourable the Finance Member said that Government has been helping and encouraging private enterprises for remedying unemployment. I ask the Honourable the Finance Member, whether he can point out only one or two instances in which Government has helped enterprises to remove unemployment.

Then, with regard to the Back Bay and Sukkur Schemes and loans I do not want to say much at present as I shall have an opportunity to speak on that point hereafter. But I must say one thing about the condition of the Hajis going out of Bombay. I have been asking questions after questions on this point since last two years and I must say that the answers that the Honourable the General Member has given on the point are very unsatisfactory. I must also say that the condition of the Hajis is miserable. But I do not appeal to Government on behalf of the Hajis only, I appeal to Government on behalf of the port of Bombay and on behalf of the city of Bombay that if they give facilities to them at Bombay, the port of Bombay will flourish and they will have much more revenue. If they do not give facilities at the port of Bombay, then, let me tell them that the port of Calcutta will be opened to the Hajis shortly. Government say that they have spent lakhs of rupees on the Ballard Pier to afford facilities for embarkation to the

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people and it is not for Europeans only. Then if that is so why can they not do the same thing for Hajis?

Then, Sir, coming to the next point, I wish to point out that even from Haj Committee's Funds moneys have been paid to the Port Trust while the poor Hajis are crying for further help and conveniences. Sir, my time is up and therefore I will not refer to other points but I will only say that if Government do not know the real condition of the people at present, then it is high time that they should frankly say that they do not know in reality much about this presidency.

Mr. M. D. KARKI (Kanara District): Mr. President, none of the honourable members, who have preceded me, has spoken on the budget dealing with the administration of forests in this presidency and so I would like to speak a few words about it.

The House is fully aware, Sir, that in his budget speech the Honourable the Finance Member in paragraph 23 has remarked that Government have spent money on the better equipment of our forest and have maintained their revenue in spite of the general slump in timber business. I submit, Sir, that his remarks are neither promising nor encouraging on the point. On the other hand they are disappointing. You may be aware, Sir, that some forest experts in the past raised a hue and cry and held out large hopes to the Government of Bombay that if the Bombay forests and the department were well equipped they would contribute a large revenue, a revenue of crores of rupees to this presidency. Government patiently listened to the phantoms of these large hopes and, Sir, you know that the Government then created special establishments which go by the name of Chief Conservator's Establishment and also the post of the forest engineer as well as they sanctioned the proposals made by the forest engineer to equip the forests in every possible way.

The Honourable the PRESIDENT: I think the honourable member can say all that on the forest demand. There are many honourable members, who wish to speak on the budget and unless the honourable member wishes to speak on the general principles they will have no time left. He ought to reserve his remarks on forest administration till the forest grant comes before the House.

Mr. M. D. KARKI: I bow down to your ruling, I will be very brief. Then, Sir, with all this the policy of the forest administration has been to exploit agricultural population and cattle to make more revenue. Every year, you will find, Sir, that revenue under the head of Grazing Fees and other things such as fine, and compensation is increased by lakhs of rupees. For instance, I will quote that in the year 1923-24 you will find, Sir, that the income from grazing fees as well as the amount realised by the sale of grass fines and forfeitures amounted to 10 lakhs 29 thousand rupees, but this sum actually rose in the year 1924-25 to 12 lakhs 95 thousand rupees. Then in the year 1925-26 it rose to 14 lakhs 83 thousand. So with all the equipments of the forest and also of the establishment the department has not shown any increase in the revenue derived from the exploitation of forests. Sir, what I

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would submit is that the forest administration in this presidency is not therefore so encouraging. The figures that have been given in statements No. I and II of the Blue Book show that the forest income is in the neighbourhood of 25 to 30 lakhs of rupees and to make this revenue Government are spending between 22 to 23 lakhs of rupees on the establishment charges only. So if the department exists, it exists with its overstaffed establishment for the exploitation of the people and not for the exploitation of the forest.

Coming now to the general aspect of the budget, I submit that it is a matter for congratulation as well as gratification that the Government of Bombay have realised in the long run, that is, after their hopeless failures in large schemes such as the Back Bay Reclamation and the development of the Bombay suburban areas, that the true progress of this presidency lies in the welfare of the agriculturists and not in the development or improvement of cities and towns only. (*Vide* paragraph 13 of the budget speech of the Honourable the Finance Member.) It is to be regretted, however, Sir, that there is no provision made in the budget to ameliorate the condition of the agriculturists and to develop and improve the countryside. On the other hand the Honourable the Finance Member who is believed to have had experience of a good many years' service in this country remarks that the condition of the agriculturists is far better now than it was some years ago. This shows that he has not studied nor cared to study the true conditions that are prevailing in the countryside. We, who are representatives of rural constituencies are in a better position to know the difficulties under which they are labouring. The main object of the Government ought to have been to uplift the rural population materially, morally and educationally. The mere creation of some chairs in certain colleges or some posts in the transferred departments or establishment of colleges or high schools or the opening up of roads or the building of bridges and causeways will not improve the lot of agriculturists. I submit, Sir, that more tangible work ought to have been undertaken to do it. I may suggest, Sir, that in order to make them materially prosper, it is highly necessary to find out some easy means of earning for the agriculturists to supplement their agricultural income. For this purpose is it not necessary that measures should be formulated to introduce cottage and home industries in villages and rural areas to make them earnestly take up such industries so that they may materially prosper. Instead of trying to do anything to benefit the agricultural population, the Government of Bombay have now come with fresh proposals of taxation. I submit, Sir, that the proposals would be sanctioned when the country will be more prosperous and in a fit condition to pay more taxation. But as has been pointed out by the honourable members the country is not at all in such a condition now as the Honourable the Finance Member has described it. It would be folly on our part to sanction any proposal for fresh taxation under the present circumstances. I would therefore appeal to the House that no further taxation should be voted for.

Mr. M. S. KHUARO (Larkana District): Mr. President, I had at first decided not to take part in the general discussion of the budget as my past experience of 2 years of the budget sessions of this Council clearly tells me on various occasions the honourable members of this house make fair and constructive proposals, but Government members never take into account the opinion expressed by the honourable house, how-so-ever sound and reasonable it may be. The reasons which subsequently made me to alter my first decision and made me to take part to-day are certain serious proposals which concern the province of Sind. It is what made me feel it my obligatory duty to offer my criticism upon them. I would first take the Sukkur Barrage Scheme. During the last two budget sessions it has been my painful duty to criticise and point out the extravagance of the officers in charge of Sukkur Barrage and the canals construction. Last year this Council insisted on reducing the demands for buildings, etc. But instead of doing that I find this year again the demand has been made for the construction of buildings for 16 lakhs in spite of the fact that the buildings already constructed are more than sufficient. I have myself visited the various buildings which are being constructed. Last year they provided 27 lakhs for the establishment and this year instead of that 31 lakhs have been provided. Such a lavish expenditure makes us very suspicious more particularly after the present failure of the Back Bay Reclamation Scheme.

I think this honourable House has every justification to feel nervous and suspicious about the success of this scheme if the extravagance in regard to this scheme is not being controlled sufficiently. It should not be understood that I am opposing the scheme. I do admit that the barrage is, of course, necessary for the irrigation of the province of Sind. But my only point is that extravagance should be controlled. That the scheme that has been sent to Government for the disposal of land, the estimate which is expected to meet the expenses of the Sukkur Barrage, is much exaggerated and over-estimated, that I am positive of. The average rate that has been fixed is from Rs. 150—200 an acre. The lowest price that Government expect is Rs. 50 and the highest Rs. 250. I must assure this House that, so far as I know, it is very difficult for Government to realise the exaggerated figures that are estimated. So, for these two fundamental reasons, on the one hand, that the expenditure to be met by the sale of land after the inauguration of the scheme is extravagant and, on the other hand, the extravagance in the actual working of the barrage, and canal construction it is highly necessary that Government must at this stage appoint an advisory committee to enquire into the whole question. So far as I know, the Back Bay Reclamation project was presented in 1921 and when the Honourable the General Member made the demand for the Back Bay Reclamation Scheme a glowing picture was given to the House and he promised that the scheme will fetch 30 crores and in the course of a few years a huge profit was expected! And how is it all exposed? The honourable House knows that it is the appointment of the advisory committee that exposed it, and showed to this house that instead of gain the scheme is going to terminate into a loss of over 3 crores,



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For that reason my proposal is both constructive and fair. Government should at this stage appoint an advisory committee to go into the whole question of the barrage, with a view to find out whether the scheme that has been framed about the sale of land and obtaining so much amount to meet the cost is an exaggerated one or a moderate one; and to find out whether barrage officers are lavish in expending the huge sums sanctioned by the house.

The other question is about the education in Sind. There have been repeatedly representations from Sind for increasing the grant that has been allowed to Sind Madressah and some other institutions. It is always said by the Government that whatever surplus we get, whatever additional taxation we get, we are spending on the nation-building departments. The House is aware that education is the chief thing. Education Department is the main department which should receive the greatest support from Government. I see from the figures in the budget that the expenditure of 1926-27, in spite of the deficit shown, is increasing. An increased demand has been asked under revenue of about Rs. 4,47,000, under stamps Rs. 35,000, under registration about Rs. 29,000, under irrigation about Rs. 11,64,000. Under general administration also there is an increase. But it is said that in the education department only about 2 lakhs have been provided over and above the last year's grants. Whenever any proposals come for education, just for instance the question of opening new schools, Government have always been refusing them on the ground that there are not sufficient funds, whereas in other departments, in spite of the deficit shown in the budget of about 60 lakhs, extra expenditure is being incurred by Government. When the question of Tando Bago was brought before the Government for support, on the similar grounds Government said that there are no funds. This is how Government support the education of Mahomedans in Sind.

The third thing that I want to mention is about the cattle thefts. The Honourable the Home Member mentioned in his speech that Government have appointed a cattle theft enquiry committee. I would inform this House that every one of the members of the public and everybody in Government knows that the reason why cattle theft in Sind is increasing is mainly due to the corruption of police, the inefficiency of the police, and the insufficiency of the police in the rural areas. In that case it would have been only proper if Government had appointed a committee for improving the morale of the administration of the police. Government should have appointed a committee to consider as to how the police could be improved and cattle thefts reduced. And what I find is that instead of that, Government have appointed two police officers out of the five Government officers on the committee, one of the District Superintendent of Police's rank and the other that of an Inspector and as to the six non-official members appointed, they have taken particular care to appoint such members that cannot possibly follow the proceedings of the committee! What report will a committee of this sort produce? I myself happened to appear to give evidence before that committee. What I found was that four of the members could not follow anything

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of the proceedings and in this state of things everything had to be translated into Sindhi and explained to them, and on most of the points they were kept uninformed. Most of the discussion was in English, and the benefit of taking part in it was denied to them. I should inform this House that whatever report comes from such a committee, the Honourable House can judge for itself, what weight could be attached to such a one-sided voice. It is a sheer waste of public funds.

On page 12 of the Honourable the Finance Member's printed speech we find he says :

"It may be necessary to reduce the pay of our establishments. When we raised their salaries in 1920, we did so with the specific warning that those increases were subject to reconsideration when prices fall. There has been some fall in the Index number of prices but it has not been so decisive as to lead Government to consider that the time for the reduction of salaries has yet come."

From this one will be lead to draw the conclusion that the Honourable the Finance Member thinks that the salaries that are being paid at present are quite sufficient. In spite of that, I find so many grants for increments in new items shown in the Blue Book to the sub-registrars, to the rent controllers, assistant rent controllers, their staff, inspectors and sub-inspectors of engine boilers. I do not see any reason for that when in the speech of the Finance Member himself it is stated that the salaries paid at present are adequate, especially when there has been a deficit this year.

In another place in his speech the Finance Member says :

"Our land revenue used to expand at an average rate of 3 lakhs a year ; while the burden of the assessment of the ryot has been lightened by the increase of prices and change in the value of money. Last year no new settlements were introduced and Government extended the period of settlements in Sind, thereby reducing the annual growth of revenue"

The honourable House is aware that the land revenue taxation has at present reached its highest pitch and, therefore, any expansion in land revenue is, I think, a great hardship on the cultivator and the zamindar. It is an obvious fact that the extension in the period of revision of settlement in Sind was long overdue and Government have merely done justice in the matter.

My time is limited ; therefore, I leave many other matters which I wanted to touch and I stop here. It is impossible to survey the whole budget and point out all the defects and draw-backs in such a limited time that has been allotted to me.

The Honourable Sir CHUNILAL MEHTA : Sir, I did not wish to take part in the debate, because only two references, so far as I remember, have been made to the departments under my charge. I am sorry that the honaurable member for Satara (Mr. Soman) should have so misunderstood the application of the famine funds as to have spoken in the manner in which he did. I do not think that I will take any time over that particular item, because I believe that will be discussed in detail when the demand for the grant comes before the House. In any case, the Finance Secretary has given some reply to it. But the reason why I really got up to speak was on account of the somewhat vehement criticism

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of my honourable friend Mr. Pradhan. I am surprised, Sir, that so reasonable a critic as Mr. Pradhan should not have thought it necessary to bring to the notice of Government any of the instances of undue non-agricultural tax to which he refers. These cases, he said, have been going on for about two years, but in not one single case has a reference been made to Government. I think it is somewhat hard to criticise Members of Government or the Secretaries, because they hold their offices in the Secretariat, if no cases of this nature are brought to their notice.

Mr. P. G. JOSHI : What is the use ?

The Honourable Sir CHUNILAL MEHTA : What is the use ? I will tell my honourable friend what the use is. Perhaps the honourable member Mr. Pradhan knows it far better than he does. He knows the instance of the rectification that was made by Government in a well-known Bombay Suburban case. I will not mention names.

Mr. G. B. PRADHAN : In two cases.

The Honourable Sir CHUNILAL MEHTA : I was mentioning only one, he says there were two cases of rectification. I hope my honourable friend from East Khandesh will now see the use of bringing to the notice of Government any cases which he thinks entail hardship upon the people.

Mr. P. G. JOSHI : Mehunbara is still fresh in my mind.

The Honourable Sir CHUNILAL MEHTA : My honourable friend refers to a matter which the Honourable Member in charge of the Home Department said is *sub-judice*. In any case, it does not relate to my department, and I think that being a lawyer he might have left the case alone as it is *sub-judice*.

Rao Saheb D. P. DESAI : What about such cases not rectified ?

The Honourable Sir CHUNILAL MEHTA : I would like to ask my honourable friend Rao Saheb Desai .....(Interruption).

The Honourable the PRESIDENT : I am afraid that this sort of thing cannot be allowed.

The Honourable Sir CHUNILAL MEHTA : There was one other point made, and that was with regard to Major Pogson, and the complaint is that he was not shown as a separate item in the Blue Book. This, again, was not made a matter of criticism or remark in the Finance Committee. I have consulted again the Finance Secretary, and he confirms what I thought that in no single instance has it been the practice to show an item which has once been passed, although temporarily, as a new item in the Blue Book. As a matter of fact.....

Mr. G. B. PRADHAN : Major Pogson's salary was sanctioned for seven months ; is that perpetually sanctioned ?

The Honourable Sir CHUNILAL MEHTA : No, it is not sanctioned perpetually by any means, but I am surprised that the honourable member does not know what powers he himself possesses as a member of this

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House. The powers of the House are that they can at any moment reject any of the proposals that are shown as voted, and this is shown as a distinct, separate, item on page 251 of the White Book

Mr. P. G. JOSHI: No details as to his work are given; that is our complaint.

The Honourable Sir CHUNILAL MEHTA: My honourable friend is again impatient. Let me remind him that the condition which the House made last time when this item was passed was that Major Pogson's work should be tested. He has been put on test. Some of his reports have been received, though not all, a good many more have been received than I thought probable. Those reports are being printed, they will be placed before honourable members of the House before this item comes up for consideration, and they will have every opportunity of expressing their opinion, and, if they think fit, of throwing the item out. We have no desire to keep any information back from this House, and we want enlightened criticism to be brought to bear upon any of the proposals that we put before them.

Mr. H. D. SAHEBA: Shall we reach him in the Budget?

The Honourable Sir CHUNILAL MEHTA: Certainly, you will. I am afraid the honourable member was not present when the Honourable the Finance Member suggested the order in which the items would be taken up. He said that we shall start with No. 30, and we shall go on from No. 30 onwards. The item for this demand is No. 43, and I am perfectly certain that in their anxiety to deal with this item which, I say, relates to the prosperity and the needs of the largest portion of the people of this presidency, honourable members will like to give it due consideration, and they can reach No. 43, I expect, two or three days after the demands for grants start.

Rao Saheb D. P. DESAI: Is it the item dealing with Pogson or prosperity?

The Honourable the PRESIDENT: I have already told honourable members that I cannot allow these interruptions. Very little time is left, and these interruptions mean depriving one more member of his right of addressing the House.

The Honourable Sir CHUNILAL MEHTA: I will not say anything more, Sir.

Mr. H. D. SAHEBA (Ahmedabad District): Sir, the Honourable the Finance Member says that unless the taxation bills are passed, he will have to cut out the salaries of the subordinate establishments and of the provincial services. If he cannot cut his own salary, he has no right to cut out the salaries of the poor subordinate staff. Any such attempt this House will resist, because every one must have a living wage.

Now, the Honourable Minister for Local Self-government said that for the departments in his charge more money is being spent from revenue. Let us see what the state is. This year our expenditure is expected to amount to Rs. 202 lakhs, of which Rs. 82 lakhs is from loan, while in the

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next year we have provided Rs. 194 lakhs, of which Rs. 54 lakhs will be from loan money. But in 1920-21 all the expenditure for his departments was from revenue, and it was Rs. 207 lakhs. That being the case, is it taking an increasing portion of the expenditure for his departments from current revenues? No. He is taking less from revenue for 1926-27 than he took in 1920-21.

Now, coming to Excise, the Honourable the Finance Member says that there would be some ground for satisfaction if it could be shown that the diminution in Excise revenue is due to a genuine absence of consumption. I think that this diminution is due to the absence of consumption, because the people who are given up to drink cannot consume even the quantity that is rationed for them. Therefore, as they cannot consume the quantity which is given to the vendors for sale, it must be presumed that the consumption of liquor is going down.

Therefore, if it is a loss of revenue, the loss is very little. The Honourable the Excise Minister has not adopted any one of the recommendations made by the Excise Committee except the old policy of rationing.

During the last budget session I referred to the Watwa village and informed the House that it was a Government village and not a proprietary village. The honourable member the Commissioner for the Northern Division contradicted my statement. Now, I will refer to Government records to show that my statement is correct. In letter No. 4719 of 1890, the Commissioner of the Northern Division writes as follows: (Supplement CCCXLIV.)

"The acting Survey and Settlement Commissioner has stated, Mr. James notes, that the village was not surveyed because it was recorded as inam—It has been recorded as Khalsa since 1818-19 (*vide* paragraph 5 of Sir Barrow Ellis' report to Government, No. 1428, dated 9th June 1862) and the Commissioner never understood why, seeing it had been surveyed at the first settlement, it was not resurveyed as a matter of course. Where the acting commissioner obtained his information from, the Commissioner is not aware. Even in the Survey map of the village the "E" for inam is not put against the name."

I shall point out to the House that this is an old arrangement and I shall read to the House the memorandum of agreement:

"Memorandum of an agreement made and concluded on the 15th day of July 1898 between the Secretary of State for India on the one part and Syed Barra Mia, chief wazifdar of the village of Watwa in the Daskroi taluka of the Ahmedabad district.

#### Article I.

The Secretary of State for India hereby entrusts the management of the said village of Watwa (exclusive of the alienated lands as entered in the appended list) to the said Barra Mia, wazifdar, for himself and on the part of the wazifdars for 21 years being the full unexpired portion of the revenue survey lease in the taluka Daskroi (that is to say from 1898-99 A.D. to 1919-20 A.D.) on the conditions below recorded."

So, the lease expired in 1920 and Government have not yet resumed the administration of that village. Further the wazifdar has not proved his claim to the village even before the Inam Commission. Therefore it is the right of Government to resume the lands. Is Government going to adopt the policy of leasing Government villages to private persons? The lease has not been renewed. There are also certain villages in the taluka of Dholka where Government have leased their villages. Therefore

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I want to know from the Honourable the Revenue Member whether he is going to adopt the policy of leasing Government lands to private individuals? These lands must be resumed by Government.

Certain powers under the Land Revenue Code are given to inamdars, namely, making precautionary notice. These powers are being abused by the inamdars with the result that the villagers have to run from place to place and from one Government officer to another for protection from such powers. The Darbar of Sanand used very arbitrarily this power last year and the villagers had to run to the Collector and from Collector to the Commissioner and from there to Government and the notice was cancelled. There is a dispute between the villagers of Vataman and the talukdar and he uses this year too this arbitrary power to gain his own end. He uses this power to coerce the villagers. The Government resolution on these precautionary measures says that they should be used very rarely. But here it is quite the contrary. These powers should not be given to him.

There is another complaint I have to make. Government have been following another bad policy. The talukdars have neither civil jurisdiction nor magisterial jurisdiction; and yet they are invested with magisterial powers and appointed as honorary magistrates. If they are so appointed let them not have any jurisdiction in their own villages. Here also the same complaint of combining executive and judicial powers exists. If you want to make them magistrates; make them magistrates elsewhere and not confer jurisdiction over their own tenants. Why not give them also civil jurisdiction. Make them independent. What I want to impress on Government is that no subject should be terrorised to meet the ends of the talukdars.

The Honourable Sir CHUNILAL MEHTA : Did not the honourable member quote in 1924 in favour of the talukdars.

Mr. H. D. SAHEBA : That was in connection with the rights of talukdars as against Government. Here the rights of the ryots as against the talukdars are concerned.

Another thing to which I wish to refer is with regard to the transfer of 10 lakhs from the Famine Insurance Fund to the Sukkur Barrage. My contention is that the Sukkur Barrage is not a protective work and so this amount should not be transferred to the Sukkur Barrage. There was an audit objection to that effect. I want to know what has happened to it.

Now, with regard to land revenue assessment, Government say that it is received as rent from land. I want to question their own theory and ask whether Himayat assessment is also rent received from land. Himayat assessment is charged for the water supplied by Government. If so, when in a year no water is taken or can be had from tanks, why is the assessment only suspended for that year and collected next year? If no water is supplied from the tanks, the Himayat assessment should be remitted for that year and not merely suspended.

The Honourable the PRESIDENT : Before I call upon honourable members to address the House, I should like to inform them the result of election to the Public Accounts Committee. The following members have been elected : Mr Hoosenally M. Rahimtoola, Mr. D. B. Adwani, Mr. Lalji Narauji, Moulvi Rafiuddin Ahmad, Mr. P. G. Joshi, Mr. V. N. Jog, Mr A. N. Surve and Dr. M. M. Mehta.

Mr. G. K. MAVALANKAR (Ahmedabad City) : Sir, I will be very brief in my remarks. As regards the Development Department I will simply pass with the only remark that amputation is the only remedy for it. Barring a number of highly repugnant and revolting remarks which the Honourable the Finance Member has made in his financial statement, I cannot but congratulate him on one very good statement he has made, and that is regarding the conduct of the India Government. Here also, to be brief, I wish simply to draw the attention of the House to one word that is used there, and that is the word "dole". This word has very great significance. That summarises the whole situation. The only difference between the view of the Government and the view of the non-officials is that the one wants to prove that the patient should remain walking when the parents should come to assist, and the other wants that the patient should, as soon as he becomes invalid, lie down in bed. As long as he does not lie down, my own point is that the parents will not call in the doctor. Therefore, when the Government of India is taking away crores of money, it is the duty of the Government of Bombay to lie down. It should declare bankruptcy and not walk even an inch. There are members in this House whose nerves are so arranged that they become nervous when Government declare here that unless new taxation is sanctioned Government would collapse. I assure those nervous members that this Government will never collapse. They need not be anxious so long as the British arms are there. What is Gibraltar in the Mediterranean to the British Government, that is Bombay to the Government of India. Therefore the Government of India would not let the Government of Bombay collapse. I for myself have got such a strong nervous system that not a single nerve of mine will be unnerved because of the thought that if Government declared bankruptcy, it will collapse. I am not going to sanction a farthing more by way of taxation. I am afraid, Mr. President, my time is up.

Mr. NOOR MAHOMED (Hyderabad District) : Sir, it is with great regret that I have to say that the Government of Bombay sustains itself more by propaganda than on the soundness of its position. On all sides of its activities, every form of propaganda is visible. Last year when the Honourable Minister for Agriculture made a demand—and successfully in spite of our opposition for starting an agricultural farm at Sakrand, the members from Sind brought to his notice that the place was unsuitable for the habitation of any experts. But, Sir, he of all the people, knowing the Sind conditions well gave it as his opinion that Sakrand was the only place where the "barrage conditions" could be obtained. On that plea, he was successful enough to get from this House several lakhs of rupees to begin an agricultural farm there. He has quite recently visited that place ; and I am sure he will to-day corroborate what the

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Sind members said then, *viz.*, that even camels are not able to live there, much less will Dr. Harold Mann be. Sakrand is not inhabited by more than 500 souls. But the honourable member, Mr. Grantham, perhaps at the instance of some Government member, gave his support to Government by saying that Sakrand had a population of five thousand. We protested against that demand, because we knew that the place was not a suitable one both from the climatic and the agricultural point of view. To-day, we find that the very engineers who selected this place for the barrage agricultural farm have now come out with the real story that water cannot be obtained there all the twelve months round. To our surprise some of the newspapers carried on propaganda for Government in support of that demand and went the length of saying that the zamindar members from Sind want to take up all the barrage land for themselves and so they wish to keep the new barrage lands waterlogged, so that no people from outside may purchase land there. That is the kind of propaganda on which the Government of Bombay has been sustaining itself.

Coming to the Sukkur Barrage, I wish to say that we have been too liberal in giving Government more money every year than it really needed. They have so much money that they do not know what to do with it, and so from November telegrams begin to fly to all the officers connected with the barrage to spend and spend money. In the Blue Book it is stated that less money has been spent than the entire grant because less money has been spent on land acquisition. Government estimated to pay more, but their officers, under instructions, under warnings from officers above are made to give less money to the owners of land acquired. Is that the right way to save money? The poor people who have 5 or 10 acres to cultivate want an equivalent in land, but they are paid Rs. 5, Rs. 10 or Rs. 15 when they ought to get Rs. 50, Rs. 100, or Rs. 150. Government say "We have saved so much money". But they save that at the expense of the poor people. All that is possible only because Government is both the plaintiff and the judge, and the poor people have not the voice or the strength to protest against those who are in power. Government come here during budget time and say: "We have saved money". Is it right, I ask in all seriousness, that the estimates of compensation laid down by officers who know the Sind conditions should be cut down by the higher officers arbitrarily, because they want to save money? Is it justice? (An honourable member: No.) I am glad that that honourable member says "No". Millionaires are never in the habit of saying "No" in such matters; they are always in the habit of saying "Yes."

I have, Sir, much to say about the so-called security of life and property given by the Police, about which the Honourable the Home Member said so much. However I refrain, at this stage, from saying anything on account of the unpleasant incident that has happened in Sind. I am anxious not to be misunderstood; and therefore content myself with saying, in all seriousness, that in Sind the Police needs being thoroughly improved.



Mr. H. B. SHIVDASANI (Surat District) : Sir, of all the three budgets, which have been presented to this Honourable House, it must be admitted even by Government apologists that the present budget is easily the most disappointing and the worst budget. Of course all the three budgets were deficit budgets, but the present budget discloses a deficit of as much as 60 lakhs of rupees. That is also on the understanding that this Council is going to extend the period of the increased stamp duties which it is very doubtful whether the Council will agree to. If it is not agreed to, the estimated deficit will not be 60 lakhs but 80 lakhs. Moreover, we have to take into account the fact that in the last autumn session this Council has passed a tax on totalisator betting which is going to bring Government next year a net revenue of 15 lakhs more. That means that the position since last year has grown worse by as much as a crore of rupees. Now I confess that there is much force in the remark of the Honourable member Mr. Nariman that the present Finance Member seems to grow worse the longer his experience in framing the budget grows. He has, in short, got the finances of this presidency into a mess. This reminds me of what happened in the Government of India, when a brilliant Civilian used to be in charge of the Finance Department. The taxation went on increasing and the deficit went on increasing with the result that the finances of the country got into such a hopeless mess that at one time the success of the Montague-Chelmsford Reform, was in jeopardy. At that time the Government of India took the wise step of bringing out an expert from the British Treasury, and I am glad to say that that decision of the Government of India was more than justified by results. In the very first year the budget was balanced and in subsequent years handsome surpluses were produced. The reason is that the proper handling of the departments like the finance department does not require a clever jack-of-all-trades but a specialist and an expert in finances. I am quite sure that if the Government of Bombay follows the wise precedent of the Government of India and appoints an expert financier in charge of this portfolio, the finances of this presidency can be put in a very good condition. At present they are in a hopeless muddle and, moreover, this is so in spite of the fact that the present income that the Bombay Government has got is per head of population more than that of any other province of India.

Before sitting down I would like to bring to the notice of this House one other important matter and, that is, that the Honourable the General Member after this Back Bay bungling still continues to sit on the Government benches. In any other country such a responsible Member of Government in charge of a Government Department would have resigned as soon as such a bungle in his department had been disclosed. Let us see what is the practice in other countries. When there was a muddle in Mesopotamia, Sir Austen Chamberlain who was the then Secretary of State, at once tendered his resignation though he was not directly responsible for the muddle. Under the present circumstances the Member who has been responsible for the policy of Government, should have tendered his resignation at once. But our misfortune is that in

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this country we have got an irremovable and irresponsible bureaucracy, who do not mind to continue in office even after they have ceased to command the confidence of the people. In other countries Members of Government never remain in office after they have lost the confidence of the House. It cannot be denied that the Member in whose department this bungle has been disclosed, no longer commands the confidence of the people of this presidency or of this honourable House. I cannot be sure about the official part of this House as the officials in this country have got a peculiar mentality, but I am quite sure that this whole presidency and the non-official side of this House have lost their confidence in the Honourable the General Member and I shall be glad if he would respect the wishes of this House and not continue to remain at the head of the department in the working of which hopeless bungling has taken place.

Mr. M. B. POWAR (Kolaba District): Sir, I am sorry that I have got very little time at my disposal. Before going to the condition of the agriculturists I must say that the district local boards and municipalities and such other bodies have not been consulted by Government before preparing this budget. If they had done so, the condition of the agriculturists and poor cultivators would have been far better.

To-day I am going to place before this House a picture of a cultivator of a village, and the condition of the dearth of water supply in the villages. As regards water supply in villages, Sir, it so happens that as the year approaches towards the month of March there is regular march of the people towards the wells and tanks of a village, as water passes away from the wells and the poor villagers have to go at a distance at about two or three o'clock in the morning to fetch water. Of course, I am referring specially to the condition of the Kolaba district. If towards the end of March you visit that district, you will find number of people collected near a well or a tank and that well or tank supplying water to them by drops (टिपलून). The villagers take water by small pots and then carry a potful to their places. I know the condition of certain villages wherein everybody is allowed to take away only one pot of water and that is to be used for all the 24 hours and in many cases even the whole family is unable to get sufficient drinking water and they have to remain without bathing for days together. I am going to place this state of the agriculturists before this House as regards water supply.

In short I want to say that the local boards and municipalities of such places ought to be consulted before framing these budgets so that they can place their requirements before Government. Instead of going into big schemes like Sukkur Barrage and like the Back Bay Reclamation and the Development of Bombay, it is better if Government spends more money in providing wells for these villages and in giving grants to local boards and municipalities for that purpose. And if that is done, I am sure that the inhabitants of urban areas will be supplying the best of rice and wheat with which we nourish ourselves. That is to say, that those who live in big cities will nourish themselves.

[Mr. M. B. Powar]

I have very little to say now as the time at my disposal is very little and I want only to add that no provision has been made in this budget for the village punchayets, the only budding institution in the presidency and I find no grant for that purpose.

As regards compulsory primary education, I must say that it is for the good of village people and not for the higher classes. That is for the good of the agriculturists, who are in great need of compulsory primary education and I do not think that sufficient has been done for this purpose by Government and I am sure that Government will kindly see to all these things.

The Honourable the PRESIDENT : Before I call upon the Honourable the Leader of the House to reply on the budget discussion, I have to draw attention of honourable members to the sad event, which occurred yesterday evening, *viz.*, the passing away of an esteemed citizen of Bombay, who was formerly a member of this Legislative Council. I mean, Sir Mahomed Hajibhoy.

Those honourable members who have been associated with him in this council would know how keen his interest in the work of this Council was. He was also taking much interest in the public activities of this presidency. Sir Mahomedbhoy was till the day of his death a member of the Municipal Corporation of the city of Bombay. His services extended over a very long period. In addition to having been a member of this Council he was also a member of the newly created Legislative Assembly at Delhi and Simla. Apart from these activities he was closely associated with a large number of public movements and was a constant figure at meetings and gatherings for the promotion of public weal. I am sure it is a very severe loss which the city and the presidency has sustained by the death of Sir Mahomedbhoy. I feel confident that honourable members will share in the regret which I feel in losing a valued friend of very many years' standing. I hope you will permit me to communicate to his family the Council's condolences and sympathy in the sad bereavement which they have sustained.

The Honourable Sir HENRY LAWRENCE : I should like on behalf of the House to associate myself with the expression of regret and with the desire that you, Sir, expressed to communicate the condolence of this Council to his family.

MOULVI RAFIUDDIN AHMAD : As a friend of the late Sir Mohamadbhoy and as a colleague of many years I entirely associate myself with the remarks made by you and I hope, Sir, that you will kindly convey the condolence of this house to the heirs of the deceased.

Mr. S. T. KAMBLI : On behalf of the Karnatak I fully associate myself with the sentiments expressed.

Mr. LALJI NARANJI : On behalf of the commerce and industries of Bombay I sadly deplore the loss which commerce and industries have sustained by his death.

Khan Bahadur S. N. BILUTTO : On behalf of Muhammadans I fully associate myself with the expression of regret.

Mr. L. B. BHOPATKAR : On behalf of the Swaraj party I fully associate myself with the remarks made.

Mr. J. ADDYMAN : On behalf of the European community of Bombay I associate myself with the remarks.

Dr. R. P. PARANJPYE : On behalf of the Independents I entirely associate myself with the expression of regret.

Mr. M. S. KHUHRO : On behalf of Sind Muhammadans I fully associate myself with the expression of regret.

Mr. A. N. SURVE : On behalf of the Mahrattas and allied castes I join in the expression of regret.

The THAKOR of KERWADA : I fully associate myself with the remarks made.

The Honourable Sir HENRY LAWRENCE : Mr. President, the general impression left upon my mind of the composite picture of the criticisms which have been passed upon this budget is that the budget is regarded in a good many quarters as a bitter pill. Some members have been so good as to suggest that this pill has a sugar coating and for the flowery compliments—whether in sarcasm I am not quite sure—bestowed upon the author of this sugar coating I desire to express my personal gratitude. But if the budget must be regarded as a pill I trust that it will be swallowed with courage and fortitude (laughter) and that it will have the usual satisfactory results of such medicinal remedies. I trust that it will ease the works and enable the machinery of the administration to work with efficiency. There is certainly such an abundant wealth of material that deserves notice in the various criticisms that many points must be left over for discussion when we come to the demands for grants. I hope that honourable members will forgive my omission to deal with the particular points that they have raised and will repeat them when the proper demand comes up.

Mr. President, a wise man of old once wrote in a book which is still read with pleasure and profit “ Oh, that mine enemy had written a book ” and clearly he felt he could tear him to pieces. I am in a far worse position. I have written and read no less than five budget speeches and a sixth as Chief Secretary and I find to my great gratification and pride that certain members of the house preserve these various literary efforts of mine and compare them word by word with subsequent editions. Sir, I must thank them for their kindness in having spared me and not torn me to pieces.

On a general review I think the House has cause to be gratified at the high level on which the debate has been sustained. If we do not find complete unanimity as to the excellence of the present system of Government or as to the admirable efficiency of the administration there is on the part of Government no cause for surprise or for complaint, but we do find in the speeches a general appreciation that the points of view of various sections of the House must necessarily differ and I submit that

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the recognition of this fundamental fact is the first step towards mutual toleration and a sympathetic understanding of the many problems which assail Government from every point of view every day. Moreover we have advanced a very long way in the recognition of the fact that at the State is to provide benefits and amenities for the people the State must obtain the revenue from the people : in fact that the State, the people and the Government are one and the same thing under different names. This simple fact reveals a complete change in the political philosophy which was current a few years back. The state of mind which sees a conflict of interest between the Government and the people is not yet abolished from the political literature of the day, but it is clearly becoming an obsession much less widely held. With that error there is also vanishing, perhaps has vanished, the simple theory that no taxation is ever necessary on the ground that Government have an unlimited power of printing pieces of paper and financing all their public activities from these pieces of paper. That was the theory widely held before, and that also has vanished. I think, Sir, we are not very far off from the recognition of the theory that Government are the managers of the public estate and of the fact that if the people desire a particular policy to be pursued they must place Government in possession of funds from the public estate to finance that policy. If the people want more medical relief, better roads, an ampler supply of water and all the thousand and one needs of a modern State they can only be supplied to the extent to which provision is made by the taxation of the public estate.

I am quite aware that some members here do not subscribe to that proposition. But I think it is a fair statement of the feeling both in this House and in the country at large ; and I have every hope that this interpretation of the feeling will be ratified before long in the coming elections : a hope which is founded on the solid ground of the results recently obtained in the elections of local boards and municipalities throughout the country. The gentlemen who have secured public prominence in the recent past by their violence of statement and by fostering discord and ill-will have received a very clear caution from the electorate that success founded on such a policy is confined to periods of temporary excitement, and that the good sense of the people will assert itself and demand a return to the paths of sober wisdom.

Now, if we are agreed on the fundamental proposition that the public benefits come out of the public estate (which means by taxation), we can proceed to the next problem : Has the Government properly administered the public estate ? Some honourable members will say No.

Honourable MEMBERS : No.

The Honourable Sir HENRY LAWRENCE : Thank you. I would ask them to compare the point of view of two of the honourable members who come from Poona : the honourable member who leads the Swaraj party and the honourable member who leads, I think he leads, the Liberal party. Both deal with the same statement of figures published on pages 32-33 of the Blue Book and arrive, strangely enough, at quite

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different conclusions. On the interpretation of figures I think the House would be wise to prefer the judgment of our Senior Wrangler. The honourable member Mr. Bhopatkar complains that the expenditure on the transferred departments has not been increased, at any rate appreciably. The honourable member Dr. Paranjpye admits that Government have greatly increased the expenditure on transferred departments, but he suggests that it was their obvious duty to do so. He admits the primary claim of reserved departments as the essential framework of the Government and points out that, when that has once been placed on a satisfactory standard, then all further development must and ought to be applied to the transferred departments. That, Sir, is a thesis or a proposition with which the Government have no quarrel whatever. It has, however, a corollary in reasoning, and that is that, if the funds fall short, the cut must necessarily fall first on those branches which are the fine flower and efflorescence of the tree—the transferred departments (Laughter). I think, Sir, that is a perfectly logical statement.

Sir, it is difficult to argue with a man who bases his denial of the fact on the statement that he sees no improvement in his own village. I quite recognise that many honourable members have not had an opportunity of travelling widely about the country and of seeing with their own eyes the remarkable transformation of public amenities which has taken place everywhere. I do not think that the House as a whole will refuse credence to the cumulative evidence which has been placed before them year after year in the Blue Books. There you have lists of works showing more roads constructed, new bridges and causeways built, new hospitals and new dispensaries opened, new schools and large increasing grants to local bodies for similar purposes and for water supply and drainage. You, Sir, have the statements of responsible Ministers, if anything is needed, to corroborate these published documents. When, therefore, one honourable member rises to say that no new dispensaries have been opened, nothing is being done in the transferred departments, a complete refutation of that statement is before you. It is difficult to understand what advantage the honourable member hopes to derive from publishing such a totally incorrect statement. I refer to the statement made by the honourable member from Sholapur, Mr. Kothari.

The honourable member for Bombay North, I think Mr. Nariman, has given us one of those vigorous speeches which formerly used to delight the hearts of audiences of Bombay but which have evidently fallen out of favour with them recently. His contribution to our discussion has been dealt with by the Honourable Mr. Jadhav; and I will only repeat two essential facts which will illustrate the value to be attached to his remarks. He told us to look at the happy state of Bengal; but he was apparently ignorant, or, if not ignorant, he did not think it worth while to tell us that there in Bengal there has now been levied a stamp duty of the same character as that which the House will be asked to sanction to-morrow.

Mr. K. F. NARIMAN : (Made a remark which was inaudible.)

The Honourable Sir HENRY LAWRENCE : Not at all the public revenue. And there is also levied in that happy province a court-fees duty of the same character and extent as the House will be asked to sanction to-morrow or the day after. He also spoke of the happy efficiency of the administration in that province. It would be improper for me to enter into a critical comparison. I would only just mention another point which was mentioned by the Honourable Mr. Jadhav, as an illustration, that the pay of a primary schoolmaster in Bengal is stated (in the last report available) to be from Rs. 5 to Rs. 15 a month. Five rupees a month they pay to schoolmasters in many villages in Bengal. In Bombay some years ago we raised the minimum to Rs. 20. That is an illustration, and a cardinal illustration, on which to base the comparison. The same honourable member further threw out what he described as a challenge to Government to hand over the financial administration to businessmen when, he declared, we should see a wonderful improvement in efficiency and economy. Now, Sir, I have got great respect for the businessmen of Bombay. I know that their astuteness in business matters is very great; but even their astuteness has not been able to overcome the difficulties of the recent disastrous period, and the economic condition of Bombay can be best illustrated, I consider, perhaps by taking the latest figures published by the Registrar of Companies. These figures show that in the last five years companies with a paid up capital of 11½ crores have passed into liquidation. When the Government of Bombay is attacked for the failure of a part of their administration (a failure which is so far estimated to result in the future in a loss of some three crores of rupees), it is at any rate pertinent, by way of comparison, to recall that the loss of money by private enterprises for the last five years has very largely exceeded that sum.

Certain honourable members have protested against the remarks in my opening speech regarding the improvement in the standard of comfort of the agriculturist; and it is perhaps natural that these protests should come with the greatest vigour from the richest districts. It is a common experience of the administration of income-tax to find that the richest men are those who make the loudest outcry and who also make the most strenuous efforts to avoid paying their proper share of the income-tax. It is quite on the same principle that from East Khandesh, where cotton cultivation has expanded by thousands of acres and where the cotton crop at greatly enhanced prices has poured lakhs of rupees into that favoured district, we should find a member from that district making the loudest protest of the poverty of the agriculturist.

In regard to the question of excise, I note that the statement in my opening speech in regard to the loss of revenue and the progress of illicit distillation, and the results thereof, have not been called in question.

I assume, therefore, that the House is cognisant, is fully aware of their responsibility, and that unless they are able to secure more revenue from other sources to replace that loss, they do not propose to proceed further in the matter of cutting down the present revenue from Excise.

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Sir I am indeed gratified that there has been so little misunderstanding of the figures that have been placed before the House. In former years, many figures were misread and misquoted and much time was occupied in correcting these errors of misquotations. I hope that as the Finance Department is grateful for the evident trouble that honourable members have taken in studying the figures, so also honourable members will recognise that no effort has been spared by the Finance Department to elucidate the tangle of these accounts as clearly as possible.

When one of our most caustic critics makes a serious complaint because the figures that he wishes to annihilate are printed horizontally instead of perpendicularly, have been printed in a straight line across the page instead of a straight line down the page, one may take comfort and believe that the causes of complaint cannot be very serious.

Sir, while on that point, I think I should refer to the remarks of the Deputy President relating to the increase of our reserves. The honourable member, who is an enthusiastic advocate of no taxation, I believe desires to persuade the House that these figures show that there is no cause whatever for anxiety, that there is no cause whatever for any fresh source of taxation, and he says that by some clever manipulation we have succeeded in improving the state of our closing balances.

Mr. B. G. PAHALAJANI : I did not use that word.

The Honourable Sir HENRY LAWRENCE : Not by manipulation but by clever management.

Mr. B. G. PAHALAJANI : Exactly, and I give you credit for it.

The Honourable Sir HENRY LAWRENCE : Thank you very much. I should like to explain that much as I should like to take full credit for the conversion of these anticipated deficits into surplus balances, or the increase of balances to a higher figure than was anticipated, that is not a process that can be expected indefinitely. One reason for these increases has been that, throughout this period, we have been engaged in negotiations with the Government of India, negotiations which we have, with some good fortune perhaps, been able to carry to a fairly successful result, negotiations which have resulted in our adding extraordinary non-recurring receipts, as shown on page 36 of the Blue Book, which represent something like a crore and a half of rupees. That, Sir, I admit was one of the contributing causes to the successful management of the balances, and that is a cause that cannot be expected to recur in the future, because we have now settled up all outstanding disputes with the Government of India.

Then, further, we entered with this period of five years shown in this budget, on a period of placing the accounts before this House in a manner that had never been done before, and necessarily, with increasing experience, we expect to get more closely to the final figures of each year. In the coming year the House will find, considerable sums have been cut off—the figures allotted for grants under the head of 'Probable Savings'; so that, those probable savings have already been discounted this year,



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and I cannot hope that my successor in this office will be able to show such favourable results in the closing balances as compared with the budget estimates that have fallen to the good fortune of this House in the last five years.

The honourable member is also somewhat too optimistic in supposing that we can retrench still further year by year. Sir, our recent experience has been that there is a great awakening of public activity in all local bodies. That is one of the fruits of the Reforms. Public bodies are coming forward far more readily than ever before with schemes for the improvement of water supply and drainage, not to speak of education, and the demands for Government assistance in matters of water supply and drainage are exceedingly heavy. One demand I saw only yesterday, where Ahmedabad has got a Rs. 31 lakhs scheme. A few days ago, there was a demand from Karachi, I think it was for a scheme of Rs. 30 lakhs or Rs. 40 lakhs. My honourable friend from Sukkur is absolutely insatiable in the demands he makes for the municipality of Sukkur. Sir, these are all very laudable schemes, but it is perfectly clear, that, when funds are not available in ample quantity, the first retrenchment and economy must consist in refusing grants to such local bodies. If honourable members are content with that, well and good. I must go back to the statement I made in the earlier part of these remarks that there is now a clear recognition that the State must provide the revenue for the amenities and benefits that the people require.

Sir, my honourable colleague Mr. Cowasji Jehangir will deal in the discussion in a few days' time with such of the charges as have been set forth against the Development, but there are just one or two remarks that I should like to make from a more distant standpoint. Some honourable members have argued that the course of events illustrates the need for a radical change in the existing constitution. I suggest that this conclusion is not correctly founded on the history of the case. In fact, I suggest that the correct conclusion is precisely the reverse. If a wrong policy was adopted—and I am not dealing with the question whether the policy adopted was right or wrong—it was at any rate a policy adopted under the old constitution, and under the new constitution it would not be possible for Government to adopt such a policy again in future without the approval of the Legislative Council and without the provision of funds by the Legislative Council. In point of fact the recent Legislative Council did, in August 1920, give their approval to the policy placed before them by the Government, and the wisdom of that policy was not then brought into question in any quarter. It is true that no detailed statement of expenditure was, under the old constitution, placed before the House, and under the new constitution such a detailed statement would have been necessary. I suggest therefore that the argument that the present financial difficulties of that scheme indicate the need of a new constitution is not soundly established.

As regards Sukkur Barrage some honourable members expressed the fear that the Sukkur Barrage may prove unsuccessful in the same way

[Sir Henry Lawrence]

as the Reclamation. It is difficult to see what logical connection there is between the two schemes. They are farther apart than Bombay and Calcutta, and just as the collapse of a cotton mill in Bombay does not involve the collapse of a coal mine in Calcutta, so a failure to reclaim land in Bombay does not involve a failure to build a barrage in Sind. The construction of a barrage across a river and the making of canals to lead water from that barrage are not new enterprises. Enterprises of similar character have been carried out with complete success in the Punjab.

One honourable member expressed the view that it was better for India as a whole if the waters of those rivers in the Punjab were utilised in the Punjab rather than in Sind. That honourable member will not find that members from Sind will agree in that opinion. I think he would change his opinion if he realised that this is a matter of life and death to the present inhabitants of two-thirds of Sind. It is not merely a case of utilising these waters to the best possible advantage and getting a 5 per cent. or 10 per cent. margin of profit. The fact is that 20 lakhs of people in Sind will have their agricultural season cut short and suffer from deficiency of water if the supplies in the river Indus are further depleted. I feel sure that the merchants of Bombay are not prepared to support the view that such a calamity to their fellow subjects in the province of Sind is a matter of indifference to them.

There is one other point I wish to touch upon. The honourable member, the Leader of the Opposition, sitting directly opposite to me (Moulvi Rafiuddin Ahmad) was afraid that if we sanctioned additional taxation, the Government of India would take the view that this province is so rich and able to raise so much further taxation that nothing need be done for it. Sir, I submit that that is not likely to be the attitude of the Government of India. The Government of India contain certain clever men and from their habit of making a critical comparison of the standard of taxation in the different provinces they will see that we in Bombay are allowing—assuming that the honourable member's view is taken by the House—a taxation to lapse, especially the taxation on our stamps, which is at a lower level than anywhere else in India. They also know already that last year this House refused to continue the life of the Court-fees Act; and that that tax also is on a lower scale than anywhere else in India. They know that it has not been altered in this province for the last 50 years. So, I submit, Sir, that that argument might well be reconsidered by the honourable member in the watches of to-night.

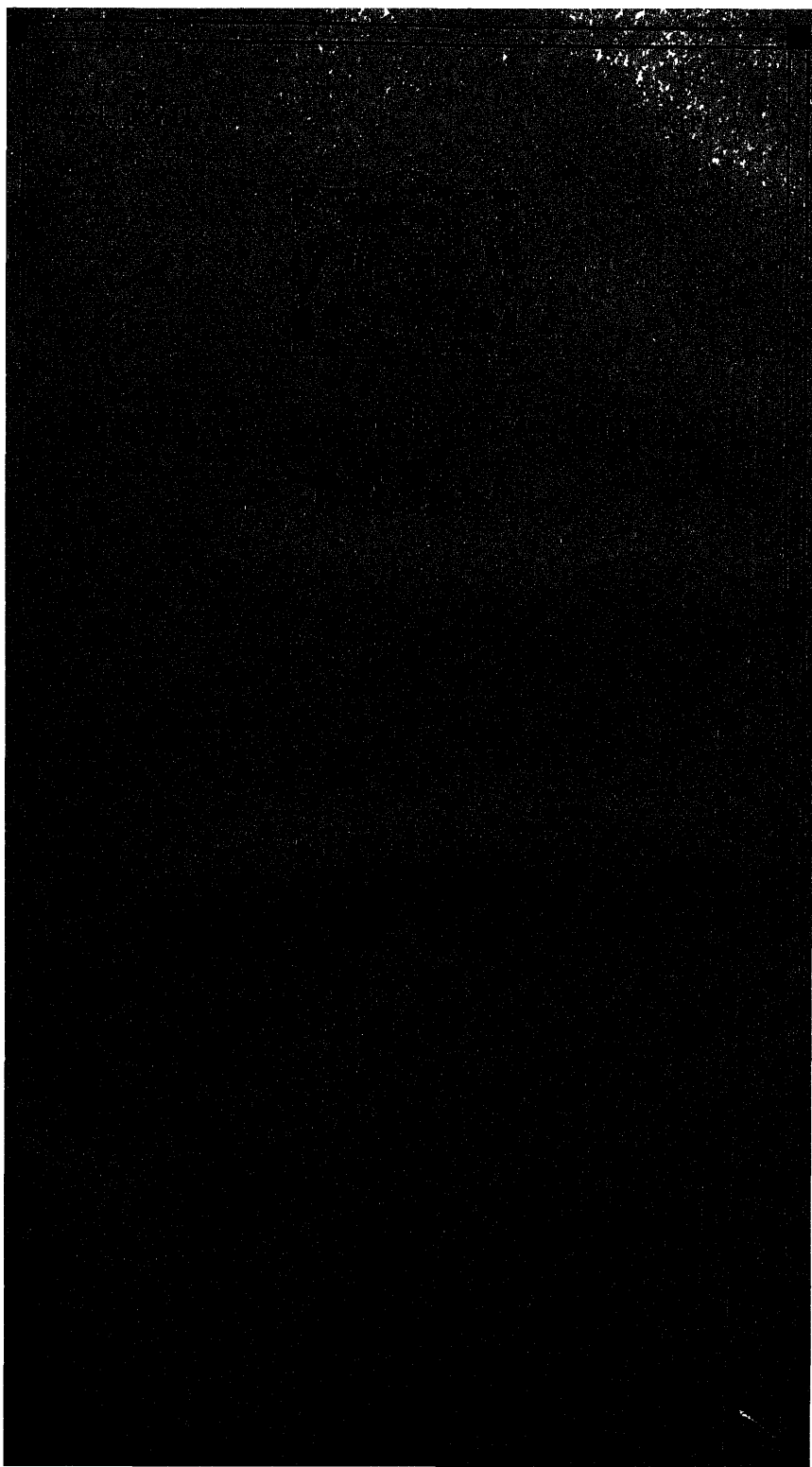
Mr. President, I have taken my full time till 7 o'clock and even more. I am grateful to the House for the kind indulgence they have given me in listening to my remarks.

The Honourable the PRESIDENT: The House will now adjourn till 2 o'clock to-morrow, Friday, the 26th February 1926.











26 FEB. 1926]

*Friday, the 26th February 1926.*

The Council re-assembled at the Town Hall, Bombay, on Friday, the 26th February 1926, at 2 p.m., the Honourable Sir IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E., presiding.

*Present :*

ABDUL LATIF HAJI HAJRAT KHAN, Mr.

ABDULPURKAR, Mr. N. A.

ABERCROMBIE, Mr. J. R.

ADDYMAN, Mr. J.

ADWANI, Mr. D. B.

AHMAD, MOULVI RAFTUDDIN

BHOPATKAR, Mr. L. B.

BHURGRI, Mr. J. M.

BHUTTO, Khan Bahadur S. N.

BOLE, Mr. S. K.

BUNTER, Mr. J. P.

CHAUDHARI, Mr. L. S.

DABHOLKAR, Sir VASANTRAO A.

DADACHANJI, Dr. K. E.

DEHLAVI, the Honourable Mr. A. M. K.

DESAI, Rao Saheb D. P.

DEV, Mr. S. S.

DIXIT, Dr. M. K.

FERNANDEZ, Dr. COSMAS

FRAMJI, Mr. K. S.

GHOSAL, Mr. J.

GHULAM HUSSAIN, the Honourable Sir

GUNJAL, Mr. N. R.

HAJI ABDULLAH HAROON

HAJI KHAMISO GUL MAHOMED

HAMID M. ABDUL ALI, Mr.

HARRISON, Mr. C. S. C.

HATCH, Mr. G. W.

HEPPER, Sir LAWLESS

HUDSON, Sir LESLIE

JADHAV, the Honourable Mr. B. V.

JATOI, Khan Saheb HAJI SERAI IMAMBAKSH

JATOI, WADERO KADIRBAKSH

JEHANGIR, the Honourable Mr. COWASJI

JOG, Mr. V. N.

JOSHI, Mr. P. G.

KALBHOR, Mr. G. M.

KAMBELI, Rao Bahadur S. T.

KARKI, Mr. M. D.

KAZI INATTULLAKHAN



KHUERO, Mr. M. S.  
 KOKANI, Mr. G. J.  
 KOTHARI, Mr. V. R.  
 LAGHARI, HAJI FAZUL MUHAMMAD KHAN  
 LALJI NARANJI, Mr.  
 LALLJEE, Mr. HOOSEINBHOY A.  
 LAWRENCE, the Honourable Sir HENRY  
 MANSURI, Khan Saheb A. M.  
 MASTER, Mr. A.  
 MAVALANKAR, Mr. G. K.  
 MCKEE, Mr. W. G.  
 MEHTA, Dr. M. M.  
 MEHTA, the Honourable Sir CHUNILAL  
 MONTGOMERIE, Mr. A.  
 MOUNTFORD, Mr. L. J.  
 MUJUMDAR, Sardar G. N.  
 MUKADAM, Mr. W. S.  
 MUKHI JETHANAND PRITAMDAS  
 NARIELVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NAVLE, Mr. N. E.  
 NEKALJAY, Mr. R. S.  
 NOOR MAHOMED, Mr.  
 OWEN, Mr. A. C.  
 PAHALAJANI, Mr. B. G.  
 PARANJPYE, Dr. R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATEL, Mr. G. I.  
 PATHAN, Mr. A. F. I. K.  
 PATIL, Mr. D. R.  
 PERCIVAL, Mr. P. E.  
 PETCH, Mr. F. W.  
 POWAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 RAHIMTOOLA, Mr. HOSENALLY M.  
 RIEU, the Honourable Mr. J. L.  
 SAHEBA, Mr. H. D.  
 SAPTARSHI, Mr. C. M.  
 SARDESAI, Mr. S. A.  
 SAYED GHULAM NABI SHAH  
 SAYED SHAHJADE SAHEB HAIDAR SAHEB  
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.  
 SHINDE, Mr. R. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SURVE, Mr. A. N.  
 SURVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.

THAKOR of AMOD, the  
 THOMAS, Mr. G. A.  
 VELKAR, Dr. M. B.  
 WADIA, Mr. C. N.  
 WEBB, Mr. M.  
 WILES, Mr. G.  
 WOODS, Mr. E. E.

The Honourable the PRESIDENT : Order, order.

Sir Leslie Hudson took the prescribed oath of allegiance to His Majesty the King-Emperor and took his seat in the Council.

The Honourable the PRESIDENT : Questions.

#### BUILDINGS FOR MAHOMEDAN EDUCATIONAL INSTITUTIONS.

MOULVI RAFIUDDIN AHMAD (Central Division): Will Government be pleased to state—

(a) what amount is spent annually during the last three years for building purposes in connection with special educational Mahomedan institutions or aided schools in the presidency proper ;

(b) what amount has been sanctioned by Government as a building grant for Islamia Urdu Aided School, Camp Poona, and under what conditions ?

The Honourable Mr. B. V. JADHAV : (a) The amounts spent during the last three years for the purpose referred to were as follows :—

				Rs.
1922-23	..	..	..	24,080
1923-24	..	..	..	25,753
1924-25	..	..	..	60,645

(b) No grant has yet been definitely sanctioned to the school referred to, the question being still under consideration.

Dr. R. P. PARANJPYE : Will Government please state what are the grants made for building purposes in connection with special educational institutions of other communities ?

The Honourable Mr. B. V. JADHAV : If notice is given, enquiries will be made.

#### ADMISSION TO ENGINEERING COLLEGE, POONA.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) Whether any students from the Engineering College at Karachi had applied for admission to the College of Engineering at Poona this year ?

(b) Whether any such applications were granted ? If so, whose ? If not, why not ?

(c) How many students were admitted this year to the aforesaid college at Poona? Will Government give their numbers according to the provinces from which they come?

(d) Whether it is one of the rules of admission that a student from this presidency should be admitted in preference to a student from some other province?

The Honourable Mr. B. V. JADHAV : (a) Yes, one

(b) No. The applicant who had been offered admission to the F.E. (Mech.) in the College of Engineering in the year 1924-25 did not join, preferring to take the course in Civil Engineering at the Karachi College. After passing the F.E. Examination in Karachi he wished to join S.E. (Civil) in the College of Engineering, but was not permitted to do so.

(c) 62 students; all with Bombay domicile.

(d) Yes. Not only so, but entry is for the present confined to students who can show a Bombay domicile.

Mr. D. B. ADWANI : What is meant by Bombay domicile?

The Honourable Mr. B. V. JADHAV : Residence in Bombay Presidency.

Mr. D. B. ADWANI : Are students of Sind considered to be of Bombay domicile?

The Honourable Mr. B. V. JADHAV : (Inaudible.)

#### ORDERLY AND QUARTERS FOR B. M. S. OFFICERS ON JAIL DUTY.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) whether it is a fact that the medical officers of jails from the B. M. S. are not allowed even one orderly and, if so, why;

(b) whether the quarters provided for the medical officers are of the same kind as the quarters provided by Government for the B. M. S. officers?

The Honourable Mr. J. L. RIEU : (a) Medical Officers of Jails are not provided with orderlies, because Government have no reason to believe that such provision is necessary.

(b) There is no standard design for quarters provided by Government for B. M. S. Officers.

#### PROPOSED GOVERNMENT PRESS BUILDING.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) whether they propose to construct a building in the Charni Road Garden, Bombay, for the Government Central Press;

(b) whether they are aware that the said proposal is opposed by the public and the Bombay Municipal Corporation;

(c) whether it is the intention of Government still to go on with the Scheme?

The Honourable Mr. COWASJI JEHangir : (a)—(c) The attention of the Honourable Member is invited to the Press Note, No. P-18, dated the 21st January 1926, issued by the Director of Information in the matter.

Mr. P. G. JOSHI : May I know whether this Press Note has been supplied to honourable members ?

The Honourable Mr. COWASJI JEHangIR : The Press Note generally appears in the newspapers, I believe.

Mr. S. A. SARDESAI : It was supplied to honourable members in the case of the Ghataprabha scheme.

Mr. P. G. JOSHI : Am I to understand that honourable members should look into the newspapers ?

The Honourable Mr. COWASJI JEHangIR : If the honourable member wants a copy of it, I shall place it on the table.

Mr. S. A. SARDESAI : The Press Notes are supplied to non-official members and they are not supplied to official members. That is the custom now.

#### PARTITION OF KHANDESH FOR JUDICIAL PURPOSES.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state—

(1) whether they are aware that the people of West Khandesh do not look upon the division of Khandesh, recently made for judicial purposes, as a settled fact ;

(2) the number of civil and criminal appeals filed in the district courts at Jalgaon in East Khandesh and at Dhulia in West Khandesh from 12th October 1925 (when a separate district court was constituted at Jalgaon) till the end of that month and in every month thereafter ;

(3) whether the question of making the division, as far as possible, equal is still under the consideration of Government ?

The Honourable Mr. J. L. RIEU : (1) Government believe that dissatisfaction is felt in some quarters.

(2)

Period.	Civil appeals.		Criminal appeals.	
	District Court, Jalgaon.	District Court, Dhula.	District Court, Jalgaon.	District Court, Dhula.
12th Oct. 1925 to 31st Oct. 1925.	24	24	11	3
November 1925 .. ..	32	16	13	4
December 1925 .. ..	26	16	6	6

(3) The question of the allocation of some of the talukas will be reconsidered in the course of the year.

Dr. R. P. PARANJPYE : Does the honourable member know that this question was discussed in the Council four years ago ?

The Honourable Mr. J. L. RIEU : I understand that this question was discussed before.

Dr. R. P. PARANJPYE : So far as courts were concerned was this question discussed ?

The Honourable Mr. J. L. RIEU : The question as regards courts could not then have been discussed.

Mr. S. S. DEV : With regard to part (3) may I take it that the question of the allocation of the talukas will be reconsidered with a view to the division being equal.

The Honourable Mr. J. L. RIEU : It is naturally the object of Government to secure the best possible distribution.

#### VILLAGES WITHOUT EVEN A SINGLE WELL FOR DRINKING PURPOSES IN KHANDESH.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state—

(1) whether it is a fact that there are several villages in East and West Khandesh which have not even a single well within their precincts which can be used for drinking purposes ;

(2) the names of such villages in each taluka of the two districts ,

(3) what steps Government propose to take to remedy the grievance ?

The Honourable Sir GHULAM HUSSAIN : Enquiries are being made.

#### DAMAGE DONE BY COLD WEATHER.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they have received any information of the damage to crops and garden fruits and even loss of human lives owing to the extreme cold weather in Maharashtra and elsewhere in this presidency from 20th to 23rd January last ;

(b) what action was taken by the Agricultural Department to protect the crops against such damage ?

The Honourable Sir CHUNILAL MEHTA : Information regarding loss of crops in January 1925 was received but not regarding loss of human life. For the rest, the attention of the honourable member is invited to the reply given to the question by Mr. R. G. Pradhan printed at page 1172 of Volume XV, Part XVI of the Bombay Legislative Council Debates and to the reply to the question on the same subject by Mr. G. I. Patel given at the current session of the Legislative Council.

## DISTRICT LOCAL BOARDS AND PRIMARY EDUCATION.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) which school boards of district local boards have not as yet received the charge of primary education within their areas;

(b) what are the reasons which have delayed their taking over the said charge?

The Honourable Mr. B. V. JADHAV :

(a) The District Local Boards which have already taken over control of Primary Education under the Primary Education Act are :—

(1) Sarara, (2) Ahmednagar, (3) East Khandesh, (4) Sholapur, (5) West Khandesh, (6) Thana, (7) Bombay Suburban District and (8) Nasik.

(b) The delay in some districts has been due to the decision to postpone the handing over of control until the new Local Boards have been elected.

It is expected that a number of Boards will take over control during the next two months.

In other cases the delay is due to the district local boards refusing to take charge.

Dr. R. P. PARANJPYE : What are the district local boards that have not taken over control of primary education?

The Honourable Mr. B. V. JADHAV : Gujarat and the district of Poona.

Rao Saheb D. P. DESAI : Is it true that special levies has been given to those district local boards which have taken control of education?

The Honourable Mr. B. V. JADHAV : No.

Mr. P. G. JOSHI : May I know the reason why district local boards refuse to take over control of primary education?

The Honourable Mr. B. V. JADHAV : If the honourable member will give me notice I shall find it out.

Rao Saheb D. P. DESAI : Is it true that owing to financial reasons the district local boards refuse to take charge of education.

The Honourable Mr. B. V. JADHAV : I don't think so.

## INDIGENOUS SYSTEM OF MEDICINE.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to lay on the Council Table the report received from the Surgeon-General in the matter of taking steps to promote the study of and research in the indigenous system of medicine?

The Honourable Mr. B. V. JADHAV : As the question of the establishment of a combined Ayurvedic and Unani Research Hospital is under consideration, Government do not consider that any useful purpose will be served by placing the correspondence on the table.

Mr. P. G. JOSHI : For how long has the question been under consideration ?

The Honourable Mr. B. V. JADHAV : For the last 3 months.

Mr. P. G. JOSHI : Has any provision been made in the budget for this purpose ?

The Honourable Mr. B. V. JADHAV : No.

#### STANDARDIZATION OF WEIGHTS AND MEASURES.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they have arrived at any definite conclusion in the matter of the standardization of weights and measures in the Bombay Presidency ?

(b) if so, what ?

(c) if not, will they be pleased to state the steps they have taken on the report of the Committee, which they received on 9th May 1924 as stated by them in their reply to my question printed at page 43 of the Council Debate reports, dated 21st July 1924 ?

The Honourable Sir GHULAM HUSSAIN : (a) and (b) No.

(c) The report in question was forwarded to Government officers and non-official bodies for their opinions. These opinions have been received and are at present under consideration.

#### LAW COURTS, POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether the District Judge of Poona frames and publishes any lists of touts for his court or for any Civil Courts subordinate to it, under section 36 of Act No. 18 of 1879 (Legal Practitioner's Act).

(b) If not, will they be pleased to state why the law as laid down in the above section is not followed by all the courts concerned.

The Honourable Mr. J. L. RIEU : (a) No.

(b) The framing and publication of such lists is optional.

#### WATANDAR MAHARS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased—

(a) to state how they reconcile the reply given to question No. 3 of the 2nd list of questions and answers for second session of 1924 published at pages 291-92, volume 12, of Council Debates, by Mr. Nekaljay, M.L.C., with the reply given to question No. 1 of the

second list of questions and answers for second session of 1925 by myself in the matter of the duty of Watandar Mahars ?

(b) to state definitely the duties of Watandar Mahars specifying whether it is one of the duties of the Watandar Mahar to watch boundary marks of the lands of the occupants in a village ?

The Honourable Sir CHUNILAL MEHTA : (a) The customary duties of Watandar Mahars have not been stated in any one place nor are they exactly the same everywhere. Under section 64 (b) of the Watan Act the Collector has to determine the duties to be performed by Watandars. In the Watan Registers framed under this section the customary duties to be performed by Mahars of a particular village are laid down. So far as the watching of boundary marks is concerned, it cannot be said to be the duty of a Watandar Mahar to watch and repair the boundary marks of occupied survey numbers for the maintenance and good repair of which the land-holders are held responsible under section 123, Land Revenue Code. It was in respect of such boundary marks that a negative reply was given to clause (d) of question No. 1 by Mr. Gunjal in the second list of questions and answers for the second session of 1925. But so far as village boundary marks and the boundary marks of Government lands are concerned, it is clearly the duty of village servants (Mahars included) to look after them. The watching of boundary marks which was stated to be one of the duties of Watandar Mahars in reply to Mr. Nekaljay's question No. 3 in the second list of questions and answers for the second session of 1924 should, therefore, be taken to apply to *village boundary marks and boundary marks of Government waste land and not to those of private lands.*

(b) See (a). Their duties are generally as shown in the reply to Mr. Nekaljay's question referred to in clause (a) above, subject to the remarks made in the clause regarding the watching of boundary marks.

Sardar G. N. MUJUMDAR : (Inaudible).

The Honourable Sir CHUNILAL MEHTA : If the honourable member will give me notice I shall find out.

#### SALE OF FISHING RIGHTS IN POONA.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state (a) whether they derive any income every year from the auction sale of the rights of fishing in any of the rivers or tanks in the Poona District ?

(b) If so, in what rivers and tanks and near which villages and the amount of income ?

(c) If not, why not ?

The Honourable Mr. A. M. K. DEHLAVI : (a) and (b) No auction sale of the rights of fishing in any of the rivers has been heretofore held, and no income is derived from the same. A statement of tanks showing



the income derived from the sale of fishing rights therein during the past 3 years is sub-joined—

Name of Tank.	Income derived during		
	1922-23	1923-24.	1924-25
	Rs.	Rs.	Rs.
Lake Fife, taluka Haveli	128	221	158
Matoba tank, Dhond Petha	.. .	90	.. .
Shetphal tank, taluka Indapur	175	75	..
Khamgaon, Dhond Petha ..	....	5	.. .

(c) Does not arise.

Dr. R. P. PARANJPYE: Does the Honourable Minister know that in other provinces income is derived from the rights of fishing?

The Honourable Mr. A. M. K. DEHLAVI: No.

#### PRISON TREATMENT AT YERAVDA AND BIJAPUR PRISONS.

Mr. V. N. JOG (Dharwar District): Will Government be pleased to state—

(a) whether their attention has been drawn to the letter by Mr. R. R. Divakar, published in the "Bombay Chronicle" of Thursday, August 6, 1925, at pages 6 and 10;

(b) whether it is a fact that prisoners under Section 124, Indian Penal Code, or 108, Criminal Procedure Code, were subjected to terrible loneliness and solitude in Bijapur prison;

(c) whether it is a fact that the solitude, the dreary atmosphere and the complete isolation in which political prisoners are kept in that prison tell injuriously upon the health and sanity of such prisoners;

(d) whether it is a fact that one Mr. Hanamantrao Mohare, editor, "Karnatak Vaibhau", Bijapur, began to suffer from giddiness and long stupors on account of his stay in Bijapur prison for a month or so;

(e) whether it is a fact that the above malady never returned after he was transferred to Yeravda;

(f) why no early steps were taken to remove him from that prison, though the malady was apparent to the medical officers;

(g) whether it is a fact that Mr. Majali of Belgaum ruined his health on account of such solitary confinement;

(h) whether they have taken any steps to improve the defects shown by Mr. R. R. Divakar in his letter above referred to?

The Honourable Mr. J. L. RIEU: (a) Yes.

(b), (c) and (d) No.

(e) and (f) Does not arise.

(g) No.

(h) Does not arise.

Mr. V. N. JOG : Is it a fact that the person referred to in (d) suffered from the maladies mentioned ?

The Honourable Mr. J. L. RIEU : It has already been pointed out that it is not a fact. It is not a fact that the person in question suffered from any of those maladies during the time he was in the Bijapur prison.

Mr. V. N. JOG : Is it true that the person mentioned in (g) suffered while in prison ?

The Honourable Mr. J. L. RIEU : It is true that the person in question became mad after detention in jail, but this was not due to any treatment meted out to him in prison.

Mr. K. F. NARIMAN : Was he mad when he entered the jail ?

The Honourable Mr. J. L. RIEU : I have no information on the subject. It is to be presumed that he was not.

Mr. K. F. NARIMAN : Is there any medical report on the subject ?

The Honourable Mr. J. L. RIEU : Statements regarding the medical report on the person have already been made to the Council and if the honourable member wishes it, I shall be glad to place it on the table.

Mr. K. F. NARIMAN : Does he know the cause of the malady ?

The Honourable Mr. J. L. RIEU : I am unable to say.

Mr. K. F. NARIMAN : Has the honourable member studied the report of the medical authorities on the subject ?

The Honourable Mr. J. L. RIEU : I have not. The subject was dealt with by my predecessor.

Mr. K. F. NARIMAN : Is it not part of the duty of the honourable member to study that report ?

(No reply.)

Mr. V. N. JOG (Dharwar District) : Will Government be pleased to state—

(a) whether it is a fact that rations of wheat and rice have been abolished recently in the Yeravda Prison, Poona, even in the case of prisoners who are accustomed to this kind of food. If so, why was this done ;

(b) whether it is a fact that four prisoners went on hunger strike on account of this change in ration and that they had to suffer for 12 days ;

(c) whether it is a fact that the milk supply of the hospital has gone down to 70 lbs. from 150 lbs. in January last or so and that sugar supply is also reduced.

The Honourable Mr. J. L. RIEU : (a) Bread made from wheat, bajri and jowari is still given to prisoners in the Yeravda Central Prison according to the authorised scale of diet for prisoners in the Bombay Presidency. Certain prisoners had been receiving a modified rice diet, but as there was no justification for it on medical grounds, this departure from the authorised diet ceased.

(b) Four prisoners refused to take the prescribed diet in the presence of any jail official. Food and water were always placed at the disposal of these prisoners and as none of them lost weight, but two actually gained weight, they presumably did not abstain from food.

(c) No. Attention is invited to the following statistics :—

	Total admission to Hospitals.	Deaths.	Milk issued.	Sugar issued.	Jaggree issued
1923 ..	1,982	27	Lbs 61,631-0 0	Lbs. 3,722 14-8	Lbs. 113-1-0
1924 .	1,070	25	„ 47,680-0-0	„ 3,415-9-8	„ 123-10-0
1925 .	784	10	„ 30,406-8-0	„ 2,115-10-8	„ 193-15-0

MOULVI RAFIUDDIN AHMAD : May I ask how many times wheat is supplied ?

The Honourable Mr. J. L. RIEU : I must ask for notice of that.

Mr V. N. JOG (Dharwar District) : Will Government be pleased to state whether it is a fact that even painful operations are performed without administering chloroform in the hospital at Yeravda Prison and that patients are held down by half a dozen prisoners ;

The Honourable Mr. J. L. RIEU : No operations requiring chloroform have been performed at Yeravda Central Prison during the years 1924-25. All convict patients requiring operations are sent to the Sassoon Hospital for treatment.

Mr V. N. JOG (Dharwar District) : Will Government be pleased to state whether there are separate cooking arrangements and separate pots for vegetarian prisoners distinct from those for meat-eaters ;

The Honourable Mr. J. L. RIEU : Yes.

Mr. V. N. JOG (Dharwar District) : Will Government be pleased to state whether it is a fact that Pathans and Baluchis (prisoners) are more leniently treated than other prisoners.

The Honourable Mr. J. L. RIEU : No.

#### KANNADA READING ROOMS AND LIBRARIES IN BOMBAY AND ITS SUBURBS.

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

(a) whether there are any Kannada reading rooms or libraries in the city of Bombay and its suburban district ; if so, how many, and where they are situated ;

(b) if the reply is in the affirmative, whether they are private, municipal or Government ;

(c) if private, are they aided either by the Bombay Municipal Corporation or by Government ? If so, to what extent ?

The Honourable Mr. B. V. JADHAV : (a) There is one Kannada reading room and library situated in Kamathipura in Bombay ;

(b) Private ;

(c) It receives no aid either from Government or the Bombay Municipal Corporation.

OCTROI ON BETEL NUT IMPORTED WITHIN THE LIMITS OF SIRSI MUNICIPALITY.

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

(a) whether octroi is levied on betel nut, cardamom and pepper brought within the municipal limits of Sirsi town ;

(b) if so, from when ? and what is the rate of octroi duty on each of the varieties ;

(c) what is the total amount of octroi levied annually on each of the said three articles during the last two years ;

(d) whether any portion of the amount of octroi levied on the said articles was refunded, if so, how much and in how many cases ;

(e) whether it is a fact that the importers of the said articles are made to pay double the amount of octroi even if they are allowed to pass within the municipal limits on account of the want of sufficient money to pay octroi at the Naka ;

(f) whether they are aware of the hardship caused to agriculturists by this rule or by-law ?

The Honourable Sir GHULAM HUSSAIN : (a) Yes.

(b) Octroi is levied on the articles referred to, since 1st September 1920.

The rate is as follows :—

	Rs.	a.	p.	
Betel nut	..	0	0	3 Per maund of 28 lbs.
Cardamom	..	0	1	0 „ „
Pepper	..	0	0	6 „ „

(c) The total amount of octroi levied annually is as follows :—

	1923-24.	1924-25.
	Rs.	Rs.
Betel nut	.. .. 3,028	3,530
Cardamom	.. .. 98	103
Pepper	.. .. 592	444

(d) Yes. The amount refunded was as under :—

	1923-24.	1924-25.
	Rs.	Rs.
Betel nut	.. .. 83	111
Cardamom	.. .. 10	..
Pepper	.. .. 17	4
	<hr/> 110	<hr/> 115

(e) No.

(f) This question does not arise.

## DEVELOPMENT DEPARTMENT BUILDING MATERIALS.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Will Government be pleased to state—

(a) whether they can supply building materials cheaper than are available in the market by mass production which was one of the objects of the Development Department;

(b) whether it is a fact that, owing to their overhead charges, they are making these building materials at a much higher cost than are available in the market;

(c) whether it is a fact that Government show the cost of these materials irrespective of the overhead charges for supervision of the officers;

(d) the cost of stone and other materials prepared by them for the use of the department;

(e) the total cost of all the materials?

The Honourable Mr COWASJI JEHangIR: (a) The Development Department has never placed building materials on the market. It started by meeting its own requirements and the subsequent fall in prices rendered supply to the public unnecessary.

(b) No. The Department has produced no building material for some time.

(c) Yes. The materials were used on Departmental works and some overhead charges are distributed over the completed works.

Period.	Materials.	Average cost delivered on works excluding overhead charges.		
		Rs.	a.	p.
(d) From 1921 to 1923 ..	Bricks	.. 43	1	0 per 1,000
From 1921 to 1926 ..	Sand	.. 21	2	0 per 100 cft.
Do do. ..	Shingle	.. 29	8	0 per 100 cft.
		Rs.	a.	p.
(e) Bricks ..	..	4,57,821	14	0
Sand ..	..	12,80,455	12	1
Shingle ..	..	12,33,455	14	5

Sir VASANTRAO A. DABHOLKAR: May I know why the information with regard to the manufacture of bricks is not given for the year 1926?

The Honourable Mr. COWASJI JEHangIR: They were not made after that date.

Sir VASANTRAO A. DABHOLKAR: Then, may I know why the information about the stones is dropped in the reply to (d)?

The Honourable Mr. COWASJI JEHangIR: Yes; I see it has been omitted. I will supply it later; I will give it as a separate answer.

Mr. LALJI NARANJI: Am I correct in understanding that Government are not in a position to say that such building materials as they prepare are cheaper than the market prices?

The Honourable Mr. COWASJI JEHangIR : The rates are given in the answer, for the honourable member to compare for himself. All the rates are given.

Mr. LALJI NARANJI : If you will read my question, you will find that I have asked whether Government have been able to manufacture materials at cheaper than the market rates, and I understand from the reply that Government have not been able to do so.

The Honourable Mr. COWASJI JEHangIR : If the honourable member will give me notice of that question, I will answer it.

Mr. LALJI NARANJI . With regard to the answer (c), am I correct in understanding that Government do not keep a separate account of the overhead charges ?

The Honourable Mr. COWASJI JEHangIR : No ; we do keep it separate.

Mr. LALJI NARANJI . The reply says " some overhead charges," and not all.

The Honourable Mr. COWASJI JEHangIR : They are distributed over the cost of completed works,—such overhead charges as are fairly debitable to such works

#### JUVENILE OFFENDERS WORKING WITH A GANG OF GROWN-UP CRIMINALS.

Mr. G. K. MAVALANKAR (Ahmedabad City) : Will Government be pleased to state—

(a) whether the papers in connection with the case of a juvenile offender working with a gang of grown-up criminals in Sabarmati Prison have been called for and with what result ,

(b) the name of the juvenile offender, his age, offence and term of imprisonment and the name of the Magistrate or Judge who sentenced him ;

(c) whether the visitors of the Sabarmati Jail and the officers who regularly received returns of cases tried by Magistrates had noticed and reported the above juvenile case to the proper authorities prior to His Excellency's visit to Ahmedabad.

The Honourable Mr. J. L. RIEU : (a) Yes ; and it was found—

(1) that at no time during his imprisonment at Ahmedabad Central Prison was the juvenile working with adult convicts but that he was always kept with other juveniles in the juvenile yard ;

(2) that his case had been reported by the Superintendent to the District Magistrate, Ahmedabad, on the 6th October 1925, under section 10, Reformatory Schools Act ;

(3) that the said juvenile was sent to the Reformatory School at Yeravda on 12th December 1925.

(b) Abdulla Nura, 14 years, abetment of theft, 1 year's rigorous imprisonment and Thakorlal Pranal, First Class Magistrate, Ankleshwar, respectively.

Mr. G. K. MAVALANKAR : What period elapsed before the date of the report of the superintendent ? That is, for how long was the juvenile offender in jail before the report was made ?

The Honourable Mr. J. L. RIEU : He was in jail for eight days.

Mr. G. K. MAVALANKAR : The answer to (c) is not given

The Honourable Mr. J. L. RIEU : It is true that no reply is given to that question. The answer is in the affirmative.

#### COSTS AND RESULTS OF AGRICULTURAL RESEARCH.

Sardar G. N. MUJUMDAR (Deccan Sardars and Inamdars) : Will Government be pleased to supply the following tabulated information showing the comparative costs and results of research during the last four years under the Agricultural Department out of the money allotted to it from the David Sassoon Trust Fund entrusted to Government ?

Subject of research.	Period of working.	Costs.		Results obtained.
		Staff.	Other.	
1 Rice ..	..	..	..	
2 Cardamom .	..	..	..	
3 Lovala ..	..	..	..	
4 Grass ..	..	..	..	
5 Bajri ..	..	..	..	
6 Jowar ..	..	..	..	
7 Potato ..	..	..	..	

Honourable Mr. A. M. K. DEHLAVI :—

Subject of research.	Period of working.	Costs.		Results obtained.
		Staff.	Other.	
		Rs.	Rs.	
Rice ..	Nil	Nil	10,000*	A note showing the progress made with each of the researches and copies of the publications referred to therein are placed on the Council Table.†
Cardamom ..	About 3½ years .	5,360	1,370	
Lovala ..	About 5 years ..	9,455	3,650	
Grass ..	About 5 years (not yet closed).	9,640	9,915	
Bajri ..	About 4 years (not yet closed).	10,670	5,490	
Jowar ..	About 4 years (not yet closed).	11,395	2,480	
Potato ..	About 5 years ..	7,785	12,500	

\* Cost of building an experimental station for rice investigation at Karjat.

† Kept in the Secretary's Office.

## APPOINTMENTS TO P. W. D. SERVICE.

MUKHI JETHANAND PRITAMDAS (Eastern Sind): Will Government be pleased to state how they propose to protect the interests of men of the Lower Subordinate Service in view of the fact that promotion to the higher grades of service is primarily restricted to the Upper Subordinate line from which they have been debarred for several years?

The Honourable Mr. COWASJI JEHANGIR: Government have since sanctioned the formation of the new service called the Bombay Subordinate Engineering Service with better prospects and it has been decided to transfer all the existing permanent members of the Lower Subordinate Establishment to the new service.

## APPOINTMENT OF THE ORIENTAL TRANSLATOR.

Mr. K. F. NARIMAN (Bombay City, South): Will Government be pleased to state—

(a) Why Mr. J. E. Sanjana, Assistant Oriental Translator, was not appointed Oriental Translator when the last vacancy occurred?

(b) Whether it is a fact that he has been in this Department for 16 years?

(c) Whether it is a fact that he has given complete satisfaction to his superiors and is very highly spoken of?

(d) Whether it is a fact that he was strongly recommended by his superiors for that post?

(e) Whether it is a fact that he had already acted thrice as Oriental Translator and had given complete satisfaction?

(f) Whether it is a fact that he was given assurance, so late as 1921, by the highest authority that on the next permanent vacancy occurring, his claims would not be overlooked?

(g) What are the qualifications of the present Oriental Translator?

(h) Whether he has any previous experience of this office or special knowledge of different languages?

(i) Whether it is a fact that some Mahomedan Members of the Council had approached His Excellency and demanded the appointment of a Mahomedan?

The Honourable Mr. J. L. RIEU: Government are not prepared to discuss the merits of individual officers, or the grounds on which one officer has been considered by them more suitable than another for a particular post.

Mr. P. G. JOSHI: May I know whether the Honourable Member will be pleased to give a reply to the question put in (i)?

The Honourable Mr. J. L. RIEU: I have nothing to add to my reply.

Dr. R. P. PARANJPYE: Is it the settled policy of Government to always appoint a Mahomedan to this post? (No reply)

Rao Saheb D. P. DESAI: Since how long has Mr. Sanjana been in Government employ?



The Honourable Mr. J. L. RIEU : I have already said I am not prepared to add anything to the reply I have already given.

Mr. W. S. MUKADAM : May I know how many Mahomedan members of the Legislative Council approached His Excellency and demanded the appointment of a Mahomedan ?

The Honourable Mr. J. L. RIEU : The reply is the same as that which has already been given.

#### WORKING HOURS IN GOVERNMENT SCHOOLS.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state —

(a) the time of the opening and closing of the Government schools on week days at Ahmedabad, Surat and the Elphinstone High School at Bombay during 1924 and 1925 ;

(b) the reasons for keeping different times in different institutions, if any ;

(c) whether during 1925 the R. C. High School at Ahmedabad worked from 11 a.m. to 5-10 p.m. with a period of 40 minutes recess each day ;

(d) the year in which the hours and periods in (c) were introduced with the reasons for the same.

The Honourable Mr. B. V. JADHAV : (a)

No.	Name of Government school.	Time of opening the school on week days.		Time of closing the school on week days.	
		1924	1925	1924	1925
		a.m.	a.m.	p.m.	p.m.
1	R. C. High School, Ahmedabad	11-30	11-0	5-0	5-10
2	Government Middle School, Ahmedabad ..	11-30	11-0	5-0	5-0
3	Sorabji J. J. High School, Surat.	11-15	11-15	5-0	5-0
4	Government Middle School, Surat ..	11-15	11-15	5-0	5-0
5	Elphinstone High School, Bombay ..	11-0	11-0	5-0	5-0

(b) The school hours were changed at Ahmedabad as an experimental measure with a view to providing time for the reading of useful books other than text books and for Games which had formerly no place in the daily school time-table.

(c) Yes.

(d) 1925, for the reason stated in paragraph (b) above.

Mr. G. I. PATEL : Will Government be pleased to change the hours and make them more reasonable ?

The Honourable Mr. B. V. JADHAV : If it is found that the present hours are unsuitable, they will be changed.

Mr. G. I. PATEL : What is the criterion for determining whether the hours are suitable or not ?

The Honourable Mr. B. V. JADHAV : The Director of Public Instruction is expected to determine that point.

Mr. J. C. SWAMINARAYAN : Is it a fact that the hours were extended for the purpose of making provision for physical exercise to the school boys during school hours ?

The Honourable Mr. B. V. JADHAV : Yes.

#### HEADMASTERS IN PRACTISING SCHOOLS.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state —

(a) the number of male headmasters that preceded the present incumbent in the practising school attached to the Mahalaxmi Training College at Ahmedabad ;

(b) whether they have adopted the policy of appointing male heads in the said school in place of lady head-mistresses ;

(c) whether they are aware of the fact that in Gujarat lady heads for girls' schools are preferred to males in view of the social customs and manners of the province ?

The Honourable Mr. B. V. JADHAV : The following information collected in October 1925 is laid on the Council Table.

(a) Five.

(b) No. The policy is, as far as possible, to appoint women teachers as Heads of the Practising school. Men teachers are appointed only when suitable women teachers are not available.

(c) Yes.

Mr. G. I. PATEL : May I know what efforts were made by Government to procure women teachers, and whether they have succeeded or not ?

The Honourable Mr. B. V. JADHAV : I refer to the reply.

Mr. G. I. PATEL : I know and therefore I say so.

#### HEADMASTER OF PRACTISING SCHOOL, AHMEDABAD.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state —

(a) the name of the present headmaster of the Practising School attached to the Mahalaxmi Training College at Ahmedabad ?

(b) the number of male headmasters that preceded the present one uptill now ?

(c) whether it is a fact that hitherto no male headmaster was appointed to the post ? If so, to give reasons for the departure from the established procedure ?

(d) whether Mr. K. S. Vakil, the Educational Inspector, N. D., was instrumental in making this change ?

(e) whether in view of the special customs and manners prevailing in Gujarat regarding the education of women, they intend to revert to the practice prevailing for such a long time ?

The Honourable Mr B V. JADHAV: The following information collected in October 1925 is laid on the table (a) Mr. V D Desai

(b) Five.

(c) and (d) Since the Practising School was first started the post has only once been held substantively by a woman teacher

(e) A woman will be appointed when a suitable one is forthcoming

Mr. G I PATEL: Are we to understand that suitable women are not obtainable for this purpose?

The Honourable Mr B V JADHAV: The honourable member ought to know that it is not impossible.

#### AHMEDABAD CITY WALL DEMOLITION.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) whether the Ahmedabad municipality had adopted a scheme to demolish the city wall keeping the gates intact and to improve the area round the city. If so, the rate on which it was adopted;

(b) whether they had sanctioned the scheme. If so, to give the date of sanction;

(c) whether the scheme remains in abeyance yet;

(d) whether they intend to take steps to carry out the scheme. If not to give reasons for postponing or abandoning the scheme?

The Honourable Sir GHULAM HUSSAIN: (a) and (b) These parts have already been answered

(c) and (d) The scheme has been held in abeyance and it is under the consideration of the Town Planning Committee of the Municipality.

#### POSTAL INCONVENIENCE, KANARESE DISTRICTS.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether their attention has been drawn to the inconvenience caused to the people of the Karnatic owing to the irregularities of the post office referred to in the issue of the "Loka Bandhu" of Dharwar of the 16th August 1925;

(b) whether their attention has been drawn to the inconvenience caused to the people of the Karnatic owing to the absence of Kanarese forms, notices, receipts, delivery timings, etc.;

(c) if so, whether they propose to take any action in the matter?

The Honourable Sir CHUNILAL MEHTA: (a) No.

(b) A suggestion for the introduction of Kanarese money order forms into all the post offices in the Bombay Karnatic was brought to the notice of Government.

(c) As no complaint has been received by the Post Office about the inconvenience caused to the Kanarese speaking population on account of the absence of the Kanarese forms, Government do not intend to take any action in the matter.

Mr. S. A. SARDESAI. Is not the Honourable Member aware that newspapers and public meetings protested against this inconvenience ?

The Honourable Sir CHUNILAL MEHTA. I am not aware of it.

Mr. S. A. SARDESAI. Does he mean that regular complaints must be lodged by the persons concerned ?

The Honourable Sir CHUNILAL MEHTA : Yes.

Mr. S. A. SARDESAI. Will he please state where the complaints should be lodged ?

The Honourable Sir CHUNILAL MEHTA : The post office has not received any complaint.

#### DAM ACROSS BALKUNDI NALA

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether it is a fact that it was proposed towards the close of the last century to erect a dam across the Balkundi Nala (in the Hungund Taluka of the Bijapur District) so as to irrigate the surrounding lands ;

(b) if so, what was the estimate of the scheme at that time ;

(c) whether they propose to re-examine the scheme and enquire into the possibilities of constructing the said dam ?

The Honourable Mr. COWASJI JEHangIR : Information has been called for.

#### THEFTS IN SHOLAPUR CITY.

Mr. A. N. SURVE (Bombay City, North): Will Government be pleased to state—

(a) the number of thefts reported in the Sholapur City for the past three years ;

(b) how many of them were detected ;

(c) whether it is a fact that the proportion of undetected offences is considerably larger than that of the detected offences ;

(d) if so what are the reasons therefor ;

(e) whether it is a fact that the citizens of the place attribute the non-detection of offences to the incompetency of the police ?

The Honourable Mr. J. L. RIEU : (a) and (b) The information is supplied in the following table :—

Year					Number of cases reported (including riot cases).	Number of cases detected.
1923	..	..	..	..	73	60
1924	..	..	..	..	43	31
1925	..	..	..	..	63	42

(c) No.

(d) Does not arise.

(e) Government are not aware that such a view is generally held by the citizens of Sholapur; nor would it be justified by the facts

Mr. A. N. SURVE : With reference to parts (a), (b), and (c) of the question, if the figures given for the three years are worked, the percentage comes to 82 for 1923, 72 for 1924, and 66 for 1925. Does it not show that the percentage of undetected cases is increasing, and does it not follow, therefore, that the efficiency or competence of the police is deteriorating?

The Honourable Mr. J. L. RIEU : That is a matter of opinion. If the honourable member will ask me for any definite information, I shall be glad to supply it.

Mr. ABDUL LATIF HAJI HAJRAT KHAN : Does not Government think that the police force is not quite sufficient?

The Honourable Mr. J. L. RIEU : That may be the case.

Mr. P. G. JOSHI : As regards (c), may I know whether it is a fact that the citizens of Sholapur met in a meeting and complained to the District Magistrate against the police?

The Honourable Mr. J. L. RIEU : We have no information to that effect.

#### REVISION OF SALARIES OF BANDH KARKUNS OF AHMEDABAD DISTRICT.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether Bandh Karkuns of the Ahmedabad District have applied for revision of their salaries so as to make them equivalent to those paid to the other clerks of the Revenue Department;

(b) if so, what steps they have taken in the matter?

The Honourable Sir CHUNILAL MEHTA : (a) They have applied that the revision of their salaries sanctioned by Government may be brought into effect from 1st April 1920 and that their permanent travelling allowance may be raised to Rs. 15 per mensem as in the case of other subordinates of the Revenue Department.

(b) The question is under consideration.

#### NEW HIGH LEVEL BRIDGE PROPOSED IN ELLIS BRIDGE TOWN PLANNING SCHEME.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether they are aware that the river Sabarmati is hardly knee-deep throughout the greater part of the year near the site of the new high level bridge near Usmanpur proposed in the Ellis Bridge Town Planning Scheme;

(b) whether they are aware that no difficulties are experienced by people in crossing the river near that site throughout the greater part of the year?

The Honourable Sir GHULAM HUSSAIN : (a) The river Sabarmati is fordable in ordinary years at the point stated from about October till the break of the monsoon.

(b) It may be that some people find no difficulty in wading through the river and traversing 200 or 300 yards of sand but for persons carrying loads or for vehicles the crossing is undoubtedly difficult. Motors, hand carts and horse-drawn vehicles cannot cross at all while the strain on the bullocks drawing a laden cart is cruel owing to the heavy sand. Even for many persons on foot it is decidedly inconvenient to wade through the river.

#### RELIEF TO COTTON GROWERS OF SITAPUR AND HANSALPUR.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether they are aware that the cultivators of Sitapur and Hansalpur villages of Viramgam taluka in the Ahmedabad district have lost all hopes of their cotton crop and have commenced to utilise the leaves of cotton plants as fodder for their cattle :

(b) if so, what steps have they taken to afford relief to the distressed cultivators of those localities ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) Suspension of land revenue in these villages will be given. There is sufficient kadbhi available in this tract and the villagers do not want grass or other fodder from Government. There is no distress among the people.

#### POSTINGS OF Mr. SHANKARBHAI PRABHUDAS.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether Mr. Shankarbai Prabhudas, the suboverseer of the Khari Cut Canal, was transferred from Aslali centre to Savli in or about the year 1921 ,

(b) if so, the reasons for his transfer ;

(c) what were the circumstances under which he was again retransferred to his original place ,

(d) will they be pleased to place the whole correspondence in connection with his transfer and re-transfer on the Council table ?

The Honourable Mr. COWASJI JEHangir : (a) Mr. Shankarbai Prabhudas Patel was transferred to Savli beat not in 1921 but in July 1920.

(b) In the interest of works in that beat.

(c) He was re-transferred to the Hathmati and Khari Cut Sub-division, as his services were specially required there for the construction of the Naika Reservoir at Chanindra.

(d) Government regret they cannot accede to this request as all such correspondence is treated as confidential.

## THEFTS OF CROPS IN ASI.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether it is a fact that the people of Asi in the Borsad taluka of the Kaira district plundered the crops in the field of the barbers of the village during the day time of 20th September 1925;

(b) whether the barbers of the village went to Agas, a station on the Anand-Cambay Railway line, to send a telegram to the Collector of Kaira District on that very day but the station master did not accept the telegram through the influence of the village people;

(c) whether the barbers have submitted complaints to the Government authorities as regards the plunder of their crops;

(d) if so, what steps have been taken by Government to bring the culprits to book?

The Honourable Mr. J. L. RIEU: (a) The case is still under investigation so that at this stage it cannot be definitely stated whether the allegations are true.

(b) This is denied by the officials in question.

(c) A complaint was lodged with the Police authorities and recorded under section 379, Indian Penal Code at the Borsad Police Station.

(d) Police investigation is going on, but there is no direct evidence to prove that particular individuals committed the theft of any crops, and the complaint is still undetected.

## GOVERNMENT MEADOWS AT MODASA MAHAL.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether it is a fact that they have extended the term of the contract of Government meadows of the Modasa Mahal of the Ahmedabad District to Mahomed Khanji for five more years without giving any information to the public or issuing any notification;

(b) whether it is a fact that there were still two years left before the present contract would expire;

(c) if so, the reasons why such a procedure was adopted?

The Honourable Sir CHUNILAL MEHTA: (a) Yes.

(b) Yes.

(c) As the lessee had to undergo a large expenditure on the erection of godowns his request was considered reasonable and was sanctioned by Government. The bairs in Modasa are situated in an out-of-the-way place and Government were not likely to secure better terms after the expiry of the lease.

Mr. J. C. SWAMINARAYAN: In view of the fact that Government intend to entrust the work of grass storage for famine purposes to the district local boards, will they state the reasons why the lease was hurriedly extended?

The Honourable Sir CHUNILAL MEHTA : There was no application from the district local board for the storing of this grass. As a matter of fact, that was the suggestion which I made to them at the last conference that I held in December in Ahmedabad. This arrangement was come to before that suggestion was made.

Mr. G. I. PATEL : Why was this lease not reserved for the district local board ?

The Honourable Sir CHUNILAL MEHTA : I would have very much liked the district local board to have taken this in hand, but they did not, and I had to suggest it to them in December last.

#### REFRESHMENTS FOR RAILWAY PASSENGERS.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) whether they are aware that proper and well cooked food is not available in the special compartments which are reserved in some trains for the purpose ;

(b) whether they propose to take any steps in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) No.

(b) Does not arise.

MOULVI RAFIUDDIN AHMAD : May I ask whether the honourable member made any enquiries of the railway company with regard to this arrangement ?

The Honourable Sir CHUNILAL MEHTA : Yes, certainly. This answer was given after reference to the railway company.

MOULVI RAFIUDDIN AHMAD : Do the railway company say that there is no inconvenience whatever in this matter ?

The Honourable Sir CHUNILAL MEHTA : The railway company informed us that the food available in the compartments reserved is proper and well cooked. That was the reply that the railway company gave to us.

#### JAILORS' POSTS : DISTRIBUTION BETWEEN INDIANS AND EUROPEANS.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) on which principle the distribution between Indians and Europeans is made as regards the post of a Jailor when vacancies occur either permanent or temporary ;

(b) whether they are aware of instances in which Europeans have been given preference over Indians in filling up such posts ?

The Honourable Mr. J. L. RIEU : (a) No definite rules or principles are laid down for selection to the rank of 'Jailor', selection being made upon considerations of merit only. Administrative convenience and



economy are also taken into consideration in the case of temporary appointments.

(b) Government are not aware of any such instances.

#### NOMINATION OF MAHOMEDANS TO LOCAL BODIES.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) whether they are aware that in about fifty nominations to the various local boards and municipalities made last year in the Kaira district Mahomedans have been practically excluded though some were recommended from some talukas;

(b) if so, why the claims of the Mahomedans for nomination have not been recognised along with those of other communities?

The Honourable Sir GHULAM HUSSAIN: (a) Four Mahomedans were recommended for nomination to municipalities out of whom three were nominated. Seven Mahomedans were similarly recommended for local boards out of whom one was nominated.

(b) Mahomedans already enjoy communal representation by election on local boards and municipalities, but Government recognise that communal representation of minority does not debar its claim to nominations and have taken steps to ensure that such minorities are not overlooked when recommendations for nominations are considered.

Khan Saheb A. M. MANSURI: May I know from the Honourable Minister why out of the seven Mahomedans recommended for local boards only one Mahomedan was nominated?

The Honourable Sir GHULAM HUSSAIN: If the honourable member reads the question carefully, he will find that the answer meets his question.

MOULVI RAFIUDDIN AHMAD: Does not the Government make these nominations?

The Honourable Sir GHULAM HUSSAIN: The local officers make the recommendations.

MOULVI RAFIUDDIN AHMAD: After the recommendations are received, does not the Honourable Minister exercise his mind with regard to them?

The Honourable Sir GHULAM HUSSAIN: He does so, and that is why the defect has been removed.

#### SUB-INSPECTORS, INSPECTORS AND SUPERINTENDENTS OF POLICE IN THE BOMBAY CITY.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) the total number of Sub-Inspectors, Inspectors and Superintendents of Police in the City of Bombay;

(b) How many of them are Muhammadans?

The Honourable Mr. J. L. RIEU : The information is supplied in the following table :—

Designation of officers.				Total strength of officers.	Muham-madans.
Superintendents of Police	..	..	..	10	<i>Nil.</i>
Inspectors of Police	..	..	..	46	2
Sub-Inspectors of Police	..	..	..	80	15

Khan Saheb A. M. MANSURI : May I know from the honourable member whether Government will take the necessary action to appoint more Mahomedans, as the existing number *is very small* ?

The Honourable Mr. J. L. RIEU : Government are always desirous of appointing Mahomedans whenever suitable candidates are available

#### SCARCITY OF WATER FOR IRRIGATION IN KAIRA.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) whether they are aware of the scarcity of water for irrigation experienced by the cultivators on the Khari-cut canal and Khari sluices ;

(b) whether they intend taking up the question of building a reservoir on the Hathmati at Demai in order to relieve the scarcity of water and if so when ?

The Honourable Mr. COWASJI JEHangIR : (a) Yes. The scarcity of water is due to natural causes over which Government have absolutely no control.

(b) The survey estimates for a reservoir on the Hathmati at Demai are at present under the consideration of Government. It cannot therefore be stated at this stage when the construction of the said reservoir will be taken up.

#### SUB-JAIL, AHMEDABAD.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) what are the arrangements for under-trial prisoners at the sub-jail at Bhadra, Ahmedabad, as regards food, sleeping accommodation, carpets and blankets ;

(b) whether they are aware that the floor of the sub-jail is dug up and the whole place is in a very unsatisfactory condition ;

(c) whether they are aware that the food which is supplied is unwholesome ;

(d) whether it is a fact that the inmates sleep on the floor without a carpet or blanket in all seasons and without receiving any meal on the evening of admission ;

(e) whether there is a committee of visitors official and non-official for this sub-jail like the one at the Sabarmati Central Prison ;

(f) If not, whether they propose to appoint such a committee ;

(g) what steps they propose to take with regard to the provision of better food, carpets and blankets ?

The Honourable Mr. J. L. RIEU : (a) There are six barracks and two cells in the sub-jail at Ahmedabad. At present the barracks are occupied by male prisoners, and the two cells by two lunatics. Juvenile prisoners are kept separate in a small barrack. The total accommodation for prisoners in the sub-jail is 34, and whenever there is congestion, arrangements are made for removing the number in excess to the Ahmedabad Central Prison.

The food-stuff received from the jail contractor are first passed by the Jailor and then food is prepared by two convict cooks under his supervision. The food is examined by the Superintendent, who visits the jail every evening and hears the complaints, if any, from the prisoners.

The sleeping accommodation in the barracks is sufficient.

The under-trial prisoners in almost all cases wear their own clothes and are allowed to have their own bedding, if desired. Carpets and blankets are supplied to them.

(b) Yes. The floor is not paved, as the construction of a new sub-jail at Ahmedabad is under consideration.

(c), (d), (e) and (f) No.

(g) None are required.

Khan Saheb A. M. MANSURI : With reference to the reply to (f), may I know whether Government would lose anything by appointing a committee ?

The Honourable Mr. J. L. RIEU : Nothing, except that the jail is one for under-trial prisoners only and that for such a jail a committee is not required.

Khan Saheb A. M. MANSURI : Would it not be in public interest to appoint a committee ?

The Honourable Mr. J. L. RIEU : It is a matter of opinion.

#### ADMISSION OF MUSLIM STUDENTS IN GOVERNMENT INSTITUTIONS.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) whether they have issued orders to the principals and Headmasters of all Government institutions to admit a fixed number of Muslim students ;

(b) if so, what is the percentage fixed ;

(c) whether these orders are strictly carried out ?

The Honourable Mr. B. V. JADHAV : Information is being collected.

MOULVI RAFIUDDIN AHMAD : Has the Honourable Minister issued such an order restricting the number of Mahomedan students to be admitted ? He himself can give this information.

The Honourable Mr. B. V. JADHAV : There is no use of giving piecemeal replies. When information is received on all points a complete reply will be given.

Mr. K. F. NARIMAN (Bombay City, South) : Sir, before the House commences the business of the day, I beg to apply for leave under Standing Order VII, 1, to move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the second *ad interim* report of the advisory committee dealing with the Bombay Reclamation Scheme. I propose to move the following resolution :

" This Council is of opinion and recommends to the Governor in Council that in view of the revelation and disclosures made by the Advisory Committee, Majority and Minority Reports, further progress of the Back Bay Reclamation Scheme be immediately suspended and a thorough independent investigation be started by a committee with non-official majority as to (1) whether it is financially and economically advisable to proceed any further with the Reclamation Schemes 1, 2 and 8 or any one or part of them, (2) who are responsible for this grave financial loss ? (3) to investigate into the past working and administration of the whole Development Department since its inception, (4) as to what were the qualifications of Sir George Buchanan to act as a consulting engineer to the scheme and who was responsible for his selection, (5) to recommend the steps to be taken against all persons, high or low, who in the opinion of the committee are liable for the heavy loss, (6) whether any facts were deliberately concealed and misrepresented to the Council and the public, and who were responsible for such concealment or misrepresentation ? (7) the Development Department be requested to give all materials in their possession to the committee and place all the documents, vouchers and other papers relevant to the inquiry at its disposal, (8) the committee be authorized, if necessary, to take expert opinion, (9) the committee be requested to make an *ad interim* report on item No. 1 in three months. "

The Honourable the PRESIDENT : The honourable member referred to Standing Order 1 of Chapter VII. May I invite his attention to Standing Order 2 of the same Chapter which reads as follows :

" The member asking leave must hand to the President a written statement of the proposed motion and obtain his consent to the proposed motion before the Council sits. " The honourable member did send in a copy of the motion but he has not obtained my consent.

I desire to explain to the House why such consent cannot be given. I should like to invite attention to rule 12 which deals with the subject of adjournment motions. That rule lays down :

" The right to move the adjournment of the Council for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions " :

(iii) the motion must not revive discussion on a matter which has been discussed in the same session ;

(iv) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given " ;

Honourable members are aware that during the last three days of the general budget discussion the Development Department formed the main issue which was fully discussed. They are also aware that an assurance has been given by the Honourable Member in charge that he will lay before the House all his cards in connection with the Development

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Department when he asks the House to sanction his demands for budget grants. Then a full discussion will again ensue; and honourable members will be entitled to deal with the Development Department in all its aspects.

Another reason for which I cannot give consent is that a matter can only be regarded as urgent if it happens after the time for giving notice of resolutions has expired. There has been considerable difference of opinion on the subject and it has been contended by Government benches that such matters can only be taken notice of, if they occurred two or three days before the Council session. I have however decided that, if honourable members are unable to give notice of resolution on the subject under the Standing Orders in consequence of the matter having occurred subsequent to that time, I would consider it as urgent and allow the urgency motion on it. In this case the report was published in the press on the 26th of January and the time within which notice of resolutions could be received was the 6th of February. It will be obvious that the matter could have been brought before the house in the form of a resolution instead of relying on the urgency provisions of the Rules and Standing Orders.

There is one thing more which I should like to point out. Having regard to sub-clause (iv) of Rule 12 which reads as follows :—

“The Motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given.”

I should like to inform honourable members that notice of a resolution has been received from the leader of the Swaraj party. Though it has not been sent in before the 6th of February, it has been received, admitted and placed on the supplementary agenda. It is, therefore, before the House and can be discussed if priority is granted to it. That resolution reads as follows :—

“This Council recommends to Government that in view of the report made about the Back Bay Reclamation Scheme by the special committee appointed in this behalf, Government do take immediate steps to appoint a Commission with a non-official majority and with wide terms of reference to enquire into the origin, progress and desirability of continuing the said scheme, and do issue orders to stop the further working thereof till the submission of its report by the Commission.”

If the lines which I have laid down are complied with, I will be glad to give priority to it. Having regard to sub-clause (iv) of rule 12, it is obvious that this adjournment motion cannot be allowed as it anticipates a discussion of the resolution on the supplementary agenda. In view of all these considerations, I must come to the conclusion that I cannot give consent to this motion for adjournment of the House.

MOULVI RAFTUDDIN AHMAD: Sir, I rise to a point of order. It is this, whether without receiving your consent, Sir, mere notice is enough to introduce a motion for adjournment.

The Honourable the PRESIDENT: No. it is not.

## GOVERNMENT BILLS.

**BILL NO. 1 OF 1926—A BILL TO AMEND THE INDIAN STAMP (BOMBAY AMENDMENT) ACT, 1922.**

The Honourable Sir HENRY LAWRENCE: Mr. President, I introduce Bill No. 1\* of 1926 (a Bill further to amend the Indian Stamp (Bombay Amendment) Act, 1922.

The Honourable the PRESIDENT: The bill is introduced.

The Honourable Sir HENRY LAWRENCE: Mr. President, I ask leave to move the first reading of this bill.

The Honourable the PRESIDENT: The honourable member is entitled to do so immediately or at a later date as he pleases.

The Honourable Sir HENRY LAWRENCE: Mr. President, the introduction of this bill is a necessary corollary to the general discussion on the budget which we have held in the last few days. But it would perhaps be convenient to the House if I recapitulate some of the essential and governing factors of that situation. In the first place this bill does not impose a new tax. It merely continues the rate of taxation on what are known as non-judicial stamps, which rate of taxation has been in force for the last four years; and this rate of taxation now in force is on the same scale as the rate of taxation accepted in the other provinces in India. All the major provinces of India increased their rate of stamp duty in 1922, but while they increased it as a permanent measure, here in Bombay the last Legislative Council accepted it for a period of four years only, thus leaving the continuance of it to be decided by the House to-day. During these four years no complaints have been received that the duties so imposed are in any way oppressive or are an unfair handicap to the business of the public. These duties, the House will no doubt recognise, refer to such transactions such as mortgages, and bonds, sales and agreements, which are not the subject matter of proceedings in courts. I understand from the discussion of the last few days that the principal ground on which certain members would ask the House not to renew this Act is that our revenues are so abundant that we have been able to raise our reserve balances to a figure exceeding 5 crores. Now it is important that the House should have a clear comprehension of this matter of reserve balances. This figure, which on the 1st of April next, is expected to be about 5½ crores will contain nearly 2 crores in the Famine Insurance Fund. Now the Government of India Act and the Devolution Rules make it a statutory liability of this Government to build up the Famine Insurance Fund to a figure of 4 crores. Whatever opinion individual members may hold on the necessity or otherwise of our building up this fund, the fact remains that it is a statutory obligation of the Government and of the Council under the law which brought them into being. When the law is revised, this figure can be revised; but so long as it stands there in these rules, we are bound to comply with the obligation.

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\* Appendix A.

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Let me remind the House that the primary cause of this obligation was the recognition by superior authorities that this presidency was peculiarly liable to famine and the knowledge that in two years alone, in the recent past, this dread calamity of famine has caused an expenditure from the public purse of nearly 8 crores of rupees for the purpose of saving the lives of men and cattle. That is the sinister factor in our economic position which no legislator or administrator can ever forget. Then when on the failure of the monsoon the calamity occurs, every one knows by past experience that it is impossible to collect Land Revenue and that every other source of public revenue also goes down disastrously. The decline in provincial revenues may well amount to some crores of rupees.

In former days, the Government of India was our banker and stood behind us at such times of calamity. Now, with recent political developments, we have constant demands for political autonomy, and with growing autonomy we have to face the responsibilities of our independence. We can no longer fall back on the revenues of all the provinces of India and ask them to share with us the burden of our misfortunes.

We are not permitted by Statute to utilise the Famine Insurance Fund to meet the expenses of our ordinary administration and we must therefore keep in our fluid balances such sums of money as will preserve our solvency in times of trouble. These are the essential factors which have compelled us to adopt that cautious and economical policy that we have followed in recent years. A further necessity for caution has been imposed upon us by the heavy commitments which we have incurred and are incurring both in regard to the city of Bombay and to the province of Sind. I have suggested to this House that these commitments cannot rightly be regarded in the light of speculation, for they have been rendered necessary, in our judgment by the responsibility of the State to relieve the distress and misery of the poorer classes in the city of Bombay arising from the terrible conditions of congestion under which they live. And as regards the province of Sind I explained also yesterday that these measures are necessary not merely to safeguard the prosperity but even to protect the lives of our fellow-subjects in that province.

And, Sir, over and above these commitments we find a new life invigorating the public bodies, local bodies and municipalities throughout the presidency. That may rightly be taken as one of the great benefits which have come from the new reformed system of government. Municipalities and local boards are everywhere putting forward schemes for the welfare of the people, and they are held up by the slender resources of local bodies. They therefore make constant claims for assistance from the provincial purse. They demand every year many lakhs of rupees and if this House agrees that it is right and proper that the provincial purse should help forward these beneficent projects, the House will recognise its responsibility to make financial provision.

The sum of the whole question is this: Does the House recognise that the public funds are being distributed by Government for the general

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welfare among the contending claims and interests, and does it desire that those projects should continue to be so financed ? This Government is, I am afraid, not very clever in its propaganda, that is, in advertising the good work that it is doing. Our Ministers are perhaps somewhat too modest. But I submit that if men will look around with open eyes and unbiassed minds they can see clear evidence of a new life pulsating around them.

I have already alluded to many of these matters in my speeches of the last three days ; and I will not go over the old ground. There is one illustration which I had hoped would have been given by the Honourable Minister, but he was too modest to give it. I refer to the great advance under the head " Education " in the provision of scholarships for all classes backward in education. Mahomedans, non-Brahmin Hindus and depressed classes alike, within the last few years, have had provided for them a complete system of scholarships. That is merely an illustration, but I think a good illustration of the spirit in which the present Government has been discharging its obligations to the mass of the people.

It has been said, Sir, that we should refuse to tax ourselves in order to compel the Government of India to come to our relief. That argument will no doubt appeal to those honourable members who come to this House with the object of wrecking the constitution. I trust it will appeal to very few such members now. I am sure that that argument will not appeal to the general mass of sober men in this House. The Government of India are certainly not sympathetic to such a policy, and if they point out that our taxation is not on a par with that levied in other provinces, and that we have not taken any steps to levy taxation on the same scale as is being levied in other provinces, I think they will be held, in the eyes of reasonable critics, to be justified in refusing us any form of assistance. If, on the other hand, we do levy such taxes as we find suitable and proper, and if we help ourselves as far as we are able, I think there is good ground to believe that we shall eventually arrive at a satisfactory solution of our financial negotiations with the Government of India. That belief is greatly strengthened by the publication only this morning of the report of the Taxation Enquiry Committee. That committee has found that the distribution of the revenue derived from income-tax is not just and proper. And when that just and proper distribution of the income-tax revenue has been adjudicated and trade and commerce revive, then this presidency may hope to secure a reasonable share of the income-tax in the future. But these advantages can only be secured after prolonged negotiations : they do not affect the issue before us to-day. That committee also necessarily had to consider the stamp duties and they made a very detailed examination of them. All their suggestions will have to be examined and discussed in consultation with the Government of India. They propose certain increases and also certain decreases ; and they propose a modification of the method of assessing certain duties, changing them from fixed fees to *ad valorem* fees and so forth. In the



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very brief time that has been available for the consideration of these proposals we have come to the conclusion that there is nothing in the recommendations of that committee which renders it undesirable or inexpedient to proceed with the bill which is before the House. It certainly appears that the recommendations of that Committee will require the entire redrafting of the Stamp Act ; both the Act which applies to all India, and the Act which applies to Bombay. But it is quite clear that such a comprehensive measure will not be carried through in a short time. We cannot legislate in a hurry ; and all that we ask the House now is to continue the existing state of affairs, to continue those duties that are imposed to-day and that have been in force for the last 1 years, until Government and this Council have had full time to consider the situation that is raised by this report of the Taxation Inquiry Committee. Sir, I ask the House to give a first reading to this bill.

Question proposed.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Sir it is my painful duty to oppose the introduction of the first reading of the bill which is for the continuation of an Act which has expired. Now the reasons are obvious. The greed of Government is insatiable. Last time we sanctioned the tax on totalisator betting which would bring in a revenue of Rs. 15 lakhs. They have no grounds for continuing an Act which has expired. It is a very vicious principle to meet capital expenditure out of our balances. They have admitted in paragraph 10 on page 39 of the memorandum of the Finance Secretary that they will be able to lend 103 lakhs of rupees to the Sukkur Barrage. Now this is a vicious principle. It is clear that they have more balances than they are entitled to keep. Even after lending 103 lakhs to the Sukkur Barrage they will have more than 15 per cent. of the revenue as balances. Government should not lend 103 lakhs to the Sukkur Barrage which is a doubtful concern and thus lock up provincial balance. The real remedy is to make retrenchment. Four years ago an effort was made to cut down expenditure in all departments and Government have succeeded. After 4 years that spirit of cutting down expenditure and giving relief to the taxpayer has evaporated. It is the duty of Government now at this stage to retrench in every possible way and not to tax the taxpayer who is already over-burdened. Really speaking our deficit is only 40 lakhs. By subsidising the Development Department it has become 60 lakhs.

Every time the budget estimates are higher than the revised estimates. If you refer to land revenue the budgetted expenditure last year was 68 lakhs and the actual expenditure as given in the revised estimates is only 65 lakhs. In this way if we refer to each and every department inflated figures have been given so that we may sanction additional taxation. No case has been made out for additional taxation. If we take the difference between the budget estimates and the revised estimates we find large gaps. Therefore I submit that no case has been made out for further taxation. We must ask the Government of Bombay to approach

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the Government of India to wipe off our contribution of 56 lakhs. The Bombay Presidency has been paying a large portion of income-tax and it is the duty of Government to take a share of the income out of this. Really speaking the proper way would be for this House to throw out this additional taxation so that the Government of Bombay would have a strong case for submitting the state of affairs to the Government of India. The House should throw out this additional taxation in order that the Government of Bombay should be able to put their case very strongly before the Government of India and get a proper share of the income-tax or secure the wiping off of our contributions. Therefore I oppose the introduction of the first reading of this bill and I think the House will support me.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, I rise to oppose the first reading of this bill. The Honourable the Finance Member knows I think the principles of finance and economics. I hope he will admit that for putting in of a tax or for increasing any taxation the first issue to be considered is the capacity to pay. In order to make out a case for any kind of taxation the principles of economics show that there should be the capacity to pay the tax on the part of the people. Applying this principle to the first reading of this bill we observe from the Statement of Objects and Reasons that it was to remain in operation for 4 years from 1st April 1922. At the end of 4 years he now proposes to continue the same tax not only for a year or two but permanently. Now, in this case I would ask him to prove whether the condition of the people is the same as it was in 1st April 1922. I would ask him whether the condition of the masses, classes, industry and various other occupations of this presidency have undergone a better change since 1st April 1922 to this day (26th February 1926). Unless and until the Honourable the Finance Member comes forward to prove that the ability to pay on the part of the people of this presidency has remained the same if not increased from 1922 to 1926, on principles of economics he has no grounds to lay claim for this kind of taxation at the end of 4 years.

Secondly, Sir, in regard to the examination of the budget we have clearly found that to vote for any taxation and to allow Government to have any more taxes is equal to laying aside 20, 30 or 25 lakhs for a number of years for the losses that we have incurred in connection with the Back Bay Reclamation.

So, indirectly these proposals of taxation mean that we are going to be taxed for certain losses which the Government have incurred in certain departments and in certain enterprises. Therefore, it becomes the clear duty of this House, at least this side of the House, to refuse any kind of taxation so long as these moneys are going not for the prosperity of the people but for throwing away into the losses which Government have incurred in Back Bay enterprises and other development schemes.

Then, the Honourable the Finance Member laid before us as one of the reasons to renew this tax that if we refuse to tax ourselves, perhaps the Government of India would not take a favourable view of our position

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for the reduction of provincial contribution. Well, I may say, Sir, that every man with a business instinct will certainly admit that so long as a man taxes himself he does not require to be helped. So long as the Government of India will find that the Finance Member of the Bombay Government is of opinion that the people of the presidency should be taxed our demand to do away with the provincial contribution will appear quite inconsistent. Therefore, in order to be more honest, in order to be more clear in our motives, it is necessary that we must prove to the Government of India that we are neither going to tax ourselves, nor going to revive an old tax, until our valid claim for the reduction of provincial contribution is recognised by them and our demand had received adequate response.

Then, he has further said that the commitments of this Government are just and they are entered into to relieve congestion. I have taken up a sentence which he has spoken. Sir, so far as the relieving of the congestion is concerned, we very well know that he has realised 20 lakhs from cotton cess for no good purpose. This amount is simply thrown away in uneconomic chawls and in several other enterprises which are not based on commercial lines, and which are not even suitable for the proper accommodation of the labouring classes. Therefore, we object to the statement that the commitments of this Government are made with a view to relieve congestion.

Secondly, Sir, I may ask him to take the incidence of total taxation per head of population in this presidency and the incidence of total income per head of population in the presidency and the country as a whole. If this is done, it will be evident that the burden that lies on the people of this presidency is quite inconsistent with and disproportionate to the incidence of income which they receive at present. Perhaps, after a few months, if he goes into the statements that are placed before the Currency Commission, he will find that the incidence of revenue and the incidence of income are quite inappropriate to satisfy the material wants of the people in the country.

Further, he has put down a clever argument by saying that public funds are distributed for internal welfare. Sir, for a Finance Member to come forward with grounds of sympathy with public welfare in order to put more taxes on the people is I believe, most inconsistent. To say that it is in the interest of your own welfare that we ask you to pay more taxes is inconceivable! No Government in the world will admit at a stroke that because they want to give more facilities they advocate a tax. They must make out a case that they have gone thoroughly into the question of retrenchment along with every other means at their disposal and then should come forward with the proposals that in the interest of the nation-building departments it was imperative that people should give more taxes.

Then, Sir, he has very humorously stated that this Government is not clever in propaganda and that it is very modest. Well, with great pleasure we would have given this compliment to Government had he not

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come to us for asking for more taxes. But to say that Government is modest and at the same time to ask our sanction for more taxes at our hands is not consistent, and I do not think this principle to be sound.

Further, he has spoken of a new life pulsating in the villages all over the presidency. I think he has not travelled from one end to the other of this presidency as some other members who have travelled recently. I do not know if he has found out whether their incomes have increased, whether their wants have been satisfied, whether their requirements have been met, or whether at the same time the taxation was less, before he talks of the new life that is pulsating in them.

Now he has referred to the question of wrecking the constitution in case we refuse this taxation. Well, Sir, we do not want to spoil our chance of succeeding in getting a reduction of provincial contribution ; at the same time we do not want to be coerced by a threat that if we put forward our honest views and opinions as the representatives of the people, we are to be called such people who are desirous of wrecking the constitution. I emphatically repudiate that statement and at the same time I do say that in spite of all our differences of opinion we are not wrecking the constitution by asking or demanding a reduction of provincial contribution on this basis and we will continue to demand it without any idea of wrecking the constitution or without any idea of submitting ourselves to the taxation proposal from the Honourable the Finance Member.

Mr. C. M. SAPTARSHI (Ahmednagar District) : Sir, I rise to oppose the first reading of this bill. The circumstances when the bill was first introduced in the year 1922 were wholly different from the circumstances in 1926. In that year we had a minus balance of 31 lakhs and the voice of the members of the House was very strong in insisting on a very large cut, and the Government consented at that time to effect a cut of 60 lakhs. It was on that promise that the Court-fees Bill and the present Stamp Bill were introduced by the Government and were passed in the year 1922. Some of the members of that House are fortunately here. The honourable member Dr. Paranjpye was one of the Members of Government then, our present Deputy President, and Rao Saheb D. P. Desai from Kaira, were the persons who were also members of that House, and they will certainly enlighten the House as to the circumstances under which the bill was introduced.

Now, Sir, during the general discussion of the budget we had made out a case that the Bombay Presidency is of all the presidencies the most heavily taxed, and that position was accepted by no less an authority than our esteemed Finance Member in February 1922. I will quote his own speech :

" Mr. President, I shall only keep the House for a few moments while I refer to one or two of the calculations which have been placed before you by the honourable member from Sukkur." (Our present Deputy President). " This honourable member has mentioned that the taxation in the Bombay Presidency is higher than in any other Presidency in India. That is perfectly true," said the Honourable Mr. Lawrence at that time " and the answer to that is that the Bombay Presidency receives more in the way of public amenities than any other Presidency in India."

[Mr. C. M. Saptarshi]

That is the argument which he has been repeating and repeating since he came to hold the office of the Finance Member, and even now though our balances have come up to Rs. 6 crores, and though we expect by the end of this year to have a balance of Rs. 4 crores, still Government are not satisfied with the present condition of affairs. They want more taxes to be levied.

Now, there is no promise at all at the hands of Government to earmark the funds which will come in by means of this bill. Of course, even if there was such a promise, we should never have consented to the Act being extended. The Amending Act was passed as a temporary measure for four years, and now they want to make it a permanent measure. The Taxation Enquiry Committee have just reported, and the report of that Committee is out, and the deliberations of the Committee will certainly result in a redistribution of the incidence of taxation throughout India. That is expected, and before that is done, it would not be proper for us to increase our taxes. The Stamp Act Amending Bill and the Court-fees Act Amending Bill were intended to be temporary measures, and if we have a reserve balance to the extent of Rs. 4 crores, there is no necessity whatever of imposing additional taxation at the present time, because we can afford to spend during the year from our balances to the extent of Rs. 20 lakhs, which is the amount that is expected to be raised by this bill. For these reasons, I submit that the House will not consent to the extension of this bill.

Mr. P. G. JOSHI (East Khandesh District) : Mr. President, I rise to oppose the first reading of this bill, but before I offer any remarks with regard to the proposals for fresh taxation, there are two grievances which I should like to bring to notice, one relating to the discussion of the budget and the other relating to the Demands for Grants. I think no useful purpose is being served by allotting three days for the discussion of the budget. Since the inauguration of the Reformed Council, criticisms have been offered and proposals have been made to Government for retrenchment and economy, but we see that our proposals are not accepted, and sometimes the members of this House have been treated with scant courtesy, so much so that responsible Members of the Government do not care to be in their places to hear what we have got to say on the budget.

The Honourable the PRESIDENT : What has that to do with the present motion ?

Mr. P. G. JOSHI : I want to submit that the rules in this connection should be modified.

The Honourable the PRESIDENT : How can that arise on this motion ?

Mr. P. G. JOSHI : If you permit me, Sir, I will refer to it, otherwise, I will drop the matter.

The Honourable the PRESIDENT: The motion before the House is that this taxation Bill be read a first time, and the honourable member must restrict himself to that issue.

Mr. P. G. JOSHI: Will you allow me, Sir, to refer to the grievance regarding the voting of grants?

The Honourable the PRESIDENT: That will come when the total demands are asked for.

Mr. P. G. JOSHI: My point is that the Honourable the Finance Member has suggested a particular order in which the Demands for Grants will be considered. I want to make a proposal which, if accepted, will be much more convenient to the members on this side.

The Honourable the PRESIDENT: How can that arise on this motion?

Mr. P. G. JOSHI: The discussion on the budget.....

The Honourable the PRESIDENT: At present the motion before the House is that this taxation bill be read a first time.

Mr. P. G. JOSHI: Coming to the taxation proposal, I submit that no case has been made out for taking additional taxes from the ryots of this presidency. It is no use denying the fact that the Honourable the Finance Member is the ablest financier going on the Government benches. He is an adept in the management of figures; also he knows the devices to which Finance Members in other countries are often driven to. With a coolness and sarcasm all his own he has the knack of presenting a weak case in an acceptable manner, and even though he has presented his case for new taxation with an advocacy worthy of a better cause, I think he has failed to make out a case for new additional taxation: and the reason is this.

When the Honourable the Finance Member comes before this House with a proposal for new taxation, he must prove to the House that Government are very serious in the matter of retrenchment, he must also prove that every honest effort has been made to retrench and to economise, and thirdly, he must satisfy the Council about the *bona fides* of Government in the matter of retrenchment. I think he has not done all this, and therefore he cannot justify proposals for new taxation. If we look to the expenditure in 1921-22, we find that it was Rs. 14,84,00,000, but by a special effort to which allusion was made during the discussion of the budget, in 1922-23 it was reduced to Rs. 13,11,00,000; in 1923-24 our expenditure was Rs. 13,39,00,000, and in 1924-25 also our expenditure was Rs. 13,39,00,000. In the next year, our budgeted expenditure comes to Rs. 15,21,00,000; if we add to this Rs. 29 lakhs which are to be paid as an instalment to the Famine Fund, then our budgeted expenditure comes to something like Rs. 15,50,00,000. You will see that next year's expenditure exceeds the expenditure of 1922-23 by something like Rs. 2,12,00,000. It cannot be that we cannot check this expenditure of Rs. 2 crores as we have done in 1922-23.

[Mr. P. G. Joshi]

Then, Sir, I would like to show to the House that certain retrenchments are quite possible in the budgetted expenditure of Rs. 15,50,00,000. I would point out only three or four items which will convince the House that retrenchment in all directions is quite possible. The first item which I would like to point out is temporary establishments. I have calculated that cost, and it comes to Rs. 26 lakhs. It does not include temporary establishment under the Lloyd Barrage, which comes to something like Rs. 15 lakhs. If honest efforts are made to reduce this temporary establishment, an amount of Rs. 26 lakhs will be saved, and it will be a great help in reducing the deficit which the Honourable the Finance Member says we will have in the next year.

Mr. G. WILES : Will the honourable member tell us what temporary establishments he is referring to ?

Mr. P. G. JOSHI : I am referring to temporary establishments spread all over the White Book and charged to revenue. That is what I refer to ; it comes to Rs. 26 lakhs.

The second item in which retrenchment is possible is the discretionary grants. They are something like Rs. 10,75,000. The House knows that discretionary grants are provided for unforeseen works. From our experience of the Development Department, I do not think this House will be willing to place so much money at the disposal of Government for works about which we do not know anything. It is very necessary that this discretionary grant of Rs. 10,75,000 should be altogether scrapped.

The third item that I refer to is the amount of Rs. 15 lakhs which is kept as reserve with the Finance Department. I do not see any necessity for this Rs. 15 lakhs to be reserved with the Finance Department for unforeseen works. If there are unforeseen and urgent works, the Finance Department can come to the House with a supplementary budget. Therefore, it is not at all necessary to sanction this amount of Rs. 15 lakhs which is kept as reserve with the Finance Department.

Then, Sir, I would point out some items from the Public Works Department, Original Works. We find, Sir, that next year, that is, 1926-27, for original works provision to the extent of Rs. 30,19,000 has been made. You will see that in the current year the budget provision for the purpose is Rs. 11,95,000. but the revised estimate shows that the expenditure on original works comes to about Rs. 24 lakhs. That means that the Government have exceeded the budgetted amount of 12 lakhs. In the current year they have original works in excess of the budgetted figure of 12 lakhs. You will see therefore that it is not at all necessary to spend the money on original works in the next year, particularly in view of the fact that we have a deficit according to the Honourable the Finance Member. I therefore suggest that the amount of Rs. 30,90,000 provided for original works should be conveniently scrapped.

[Mr. P. G. Joshi]

It will be within the knowledge of this House that an officer has been appointed to suggest retrenchments. I do not know what the result of his investigation have been. The officer appears in the budget this year also. If we make an effort to reduce the provision for contract contingencies I am quite sure that these contingencies will be reduced by something like 5 lakhs.

One more proposal I wish to make is this. We can altogether scrap out the Excise Department for which provision has been made to the extent of 37 lakhs. It may look absurd to certain honourable member how it will be possible to scrap out altogether the Excise Department. I wish to point out that the superintendents, inspectors and sub-inspector for whom provision has already been made have really no work to do. If they are really meant to find out offences of illicit distillation of liquor. I think this work can efficiently be entrusted to the police and the village patils, and other police officers. They are better persons for this kind of work. I think without imperiling the revenue that the Excise Department gives us, we can safely scrap out the establishment of the department and save 37 lakhs. These are some of the items which I have pointed out as those in which retrenchment and economy can be effected.

There are two or three points more which I wish to place before the House in which some revenues of this presidency have been removed by Government from the jurisdiction of this House. You will see, Sir, that, under section 98 of the Government of India Act and the schedule attached thereto, the Finance Department has no right to mark the salaries of deputy secretaries and additional deputy secretaries as non-voted. In the schedule referred to above the offices of secretaries, joint secretaries and deputy secretaries under the Governor General in Council have been reserved to the all India services. In the provinces, only the office of secretary is reserved for I.C.S. If the framers of this Act wanted to include the offices of additional secretaries and joint secretaries in the provinces under that category they would have done so, and show these offices reserved for all India services. Because they have not specifically mentioned them as such, the Finance Department has no right to mark the salaries of these officers as non-voted. I request you, Sir, to refer this question to His Excellency for his decision.

Then they create new posts and mark them as non-voted. I do not think the Finance Department has any right to create new posts and mark them as non-voted. In this connection I will refer the House to the head "General Administration". Simply by saying "additional secretary" they want to make the provision for the item non-voted. I do not think that they can create new appointments under the Government of India Act and only the appointments which have been sanctioned by the Secretary of State can be marked as non-voted.

The next point is that the Government have marked some items as non-voted which were marked in the previous budgets as non-voted. I particularly refer to the sumptuary allowance of the Governor and



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secondly the touring expenses of the Governor. I find in the budget of 1924-25 these two items appeared as voted and in the year 1923 there was a motion to reduce the touring expenses of the Governor. I think that the Finance Department has no right to mark these two items, *viz.*, sumptuary allowances and touring expenses, as non-voted; and this has deprived this House of its control over this expenditure. I have referred to this in order to point out to the House that these two items offend against the Government of India Act. I hope you will, Sir, refer these points to His Excellency the Governor for his decision.

Then I want to bring to the notice of the Council one matter which I consider to be a fraud on the rights of this Council. I refer to the inauguration grant for furniture and carpets of Rs. 12,000. You know what these inauguration grants are. These are amounts which are granted for the purchase of furniture every five years to the incoming Governor. It will be seen that the Finance Department has no business to renew this grant every year. This grant appears in 1923-24, 1924-25, 1925-26 and it appears in the budget of 1926-27.

Mr. G. WILES: May I point out to the honourable member that we are not doing anything of that sort?

Mr. P. G. JOSHI: Any way it has appeared in all the years that I have mentioned and it appears this year also. Last year you know, Sir, that this item did not come up for discussion and many items were passed in a hurry. This year I want specifically to bring to the notice of the House this provision which the Finance Department has no right to make. I hope that they will at once drop this item in view of the fact that this grant is asked for once in five years. With these words I oppose the first reading of the bill.

Mr. D. R. PATIL (East Khandesh): Mr. President, to my mind the main issue before us is whether the people of the Bombay presidency can bear additional taxation. In ascertaining that we have also to look to the earning capacity of the people of the presidency.

As I have stated yesterday that our Finance Member is very clever and tactful and here is an illustration of that. If we read his speech, on page 128, we find this. What does he say? He says:

"It is clear that our resources are very limited. The provincial revenue collected in Bombay is Rs. 7 to Rs. 8 per head of population."

That is, the present tax per head of the Bombay Presidency is Rs. 7 to Rs. 8. Then what does he say further? He says:

"It is difficult to compare this revenue with that of other countries owing to the separation of Finance between Provincial and Imperial Governments. But it may be interesting to observe that in the United Kingdom the revenue is £. 20 per head or Rs. 270. In Australia it is £. 12 per head or Rs. 162. In Japan it is Rs. 32. If we desire to have an administration on a modern standard, it is perfectly clear that we must obtain more revenue."

But what did he say in his budget speech last year? He said then that Bombay was the heavily taxed province as compared with other provinces, and now he tries to show that the Bombay Presidency is lightly taxed. This is an illustration of his tactfulness.

[Mr. D. R. Patil]

Again what does he say in the statement of objects and reasons of this bill? He says that he wants to bring this Act into line with similar Acts in Madras, Bengal and the Punjab. It is alright when he says that so far as this Act is concerned, he wants to bring it into line with the similar Act in Bengal. But is he willing to give us the same concessions as are available in Bengal? Let him give us permanent settlement, which is there and then I am willing to accept this taxation. He does not want to give us the concessions which are available in Bengal; but he wants to site an instance of taxation only. May I request him to be fair to us when he wants taxation from us by way of comparison with the taxation in Bengal that he should be kind enough to give us those concessions which are available there.

Mr. President, let us look to the present condition of the people in the Bombay presidency, who are agriculturists in majority. I have already stated in my budget speech that the state of the agriculturists in this presidency is very bad. They are deep in debts. The cultivators are in the clutches of Sawkars. They have to pay high fees to pleaders. In short, I beg to state that the state of the agriculturists in the Bombay presidency is reduced to such a miserable position that to tax them any more would not be doing them any service but it would be doing them injustice. May I, therefore, appeal strongly to the Honourable the Finance Member that though he has drawn a very good picture of the prosperity of the agriculturists of this presidency, I tell him very frankly that that is not the fact. They are deep in debts. Even this year they are not in a position to pay the land revenue. Suspensions are not given to them very liberally and they have, therefore, to go to their Sawkars and that is the state of the poor rayots, especially the agriculturists in this Presidency. They feed the Government of Bombay with large income. We know the amounts of land revenue which the Government gets from these poor people, these toiling and moiling classes. May I ask the Honourable the Finance Member to be kind to these toiling people that he may save them from the trouble which he intends to fasten upon them by this fresh taxation. I hope, that the Honourable the Finance Member will be kind enough not to press for this fresh taxation. I request honourable members of this honourable House, especially the honourable members representing the rural population that they should consider this question of taxation seriously in the interests of the poor peasantry and vote accordingly. With these remarks I conclude my speech.

*After recess.*

Dr. R. P. PARANJPYE (Bombay University): Mr. President, I should have thought that in view of the three days' debate on the budget that we have had, the Honourable the Finance Member would have in his speech said something about the general policy of Government as regards the criticisms made on the budget. This is a taxation bill

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certainly, and a taxation bill has to be discussed from two points of view, first of all from the purely technical point of view as regards the proposed measure of taxation, and secondly as regards the use which is to be made of the proceeds of that taxation. The Honourable the Finance Member confined himself practically to the first part of the question and did not make the slightest pretence to meet the criticisms of the members of this Council. It is a recognised principle in all countries with any sort of constitutional government that a taxation bill in order to be acceptable to the legislature must be recommended by the policy of Government and by the confidence of the members of the legislature as to the use that Government will make of that money. Now during the last three days, we have had strong criticisms about the way in which Government have been managing their finances, especially as regards the Development Department. Those criticisms must have a certain answer so that members of this Council will have some confidence that the moneys given by the Council will be properly utilised. We, on the other hand, see a great deal of mismanagement of the funds supplied by this Council, and still the Honourable the Finance Member comes before us and proposes a taxation bill without showing the slightest intention to respect the views of the non-official members of this Council. If we had been told that Government was going to take the non-official members into their confidence about the various acts of commission and omission which have been brought before this Council, then it might have been that the Council would have agreed to the bill before them. I think the members of this Council will agree that no reply of the kind, which we expected, has been given by the Honourable the Finance Member. Under these circumstances, even apart from the merits of this taxation bill perhaps the Council would be justified in not accepting this proposal of Government.

I will go further and say that the principle of this bill ought to be unacceptable to this Council in general.

The Honourable the Finance Member has referred to the report of the taxation committee which has been published just this morning. I do not blame him for only quoting a few sentences of that report, because he had not had much time to read and digest the whole report. But I may tell him something more about that report. If I told the honourable members of this House all those things they will find that the principle of this bill should be entirely unacceptable to them. In the first place, you will find in the report, Sir, that the principle of this Stamp Act is considered by economists as generally an unsuitable measure of taxation. Still it has been accepted by all countries as being the most convenient form of taxation, but that is almost its only recommendation. Secondly it has been accepted by all spokesmen of Government for the last 50 years that the pitch of these stamp duties in India—I am speaking of the stamp duties all over India and not those increased duties which local Governments in various provinces have adopted—is much higher in India than in England. I will just quote one or two sentences from the speeches made by one official member and the Finance Member of

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the Government of India. In 1865, Mr. Cockerell said that "the Indian rates are doubtless much higher than the rates prevailing in England". Forty-two years later Lord Meston said in the Imperial Legislative Council "the stamp duties were certainly higher in India than in England and all that we have done was to try and bring the rates into harmony with the general scale". The important point is that these stamp duties even according to the Act applicable to the whole of India are higher here than in England. Therefore we must very carefully consider before we agree to the raising of these stamp duties as contemplated in this Act. Again even taking these stamp duties from the point of view of convenience we see that these stamp duties are at a pitch which is higher than what is financially expedient. You will find from the figures that are given on page 2 of the Blue Book and on an examination of the general remarks in the summary of the Taxation Committee's report that the yield of these duties has not at all increased. We have been always told that this non-increase of the yield is due to the slump in trade and so even though the rates are increased the yield has not increased.

But there is such a thing as marginal efficiency of taxation. This taxation has reached that stage when people are doing their best to evade stamp duties. With regard to this point the Taxation Inquiry Committee Report says :

"One important limit of their levy lies in the fact that beyond a certain stage their productiveness begins to diminish and excessive enhancements of the rates may impede transfers of property and cause a diminution of business generally or it may lead to the evasion of the duties or the neglect of the requisite formalities of stamping. For instance, if the stamp duty on cheque is increased people will resort to other methods of transmitting money. Excessive stamp duty thus would not only retard business, but would defeat their object by tempting persons who have to pay them 'to resort to evasion, both legal and illegal'."

I submit to this House that the present pitch of our stamp duties have reached that stage when any increase in the rates will yield no more money. The figures that are mentioned in the Blue Book are clear on the point and therefore I think Government would do well is not attempting to increase these duties because first of all they will not yield much and in cases where stamping is absolutely necessary by law they will be a great hardship to the people who have to use these stamps. For these reasons the increase in stamp duties should not be accepted by the honourable members of this House. As a matter of fact the recommendations that have been made by the Taxation Inquiry Committee are generally in the way of diminishing the stamp duties. If you will refer to page 355 you will find in the summary of the recommendations (last paragraph, that "in the case of taxes on transactions levied through means of stamps a revision of the rates in the direction of reduction has been proposed". In the face of this recommendation of the Taxation Inquiry Committee I think Government should have stayed even at this late hour before coming forward with a bill for the continuance of the enhanced rate of stamp duty.

There is a further point. The Taxation Inquiry Committee went into the question of Imperial, Provincial and local taxation. They have

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considered all possible taxes and have found that the present division of the resources between the Imperial and Provincial Governments has got to be radically altered. They have accepted practically the case of Bombay as regards the division of the yield of the income-tax. At the same time it is not the only recommendation. They recommend that for the proper management of business in general there should be a uniform stamp duty for the whole country; that different provinces should not have different rates of duties as this may result in differential treatment between provinces. When therefore we are going to have a general review of our taxation in particular as regards the division of the income-tax and other consequential arrangements, uniform stamps revenue and uniform stamp duties, I think it is right that we should not take any steps which will retard the consummation of the ideal which is recommended by the Taxation Inquiry Committee. (Hear, hear.) From this point of view therefore I think it is right that we should not continue the stamp duty at the enhanced rates that are proposed in this bill. I know that it has been actually promised by the Government of India that after the report of this Committee is received the whole question of the Meston settlement will probably go into the melting pot and a redistribution of the sources of Government—Imperial and Provincial—will have to be considered. The Committee was particularly asked to go into this question so that their recommendations may be useful for the consideration of the wider question of the redistribution of the sources which is likely to take place. Therefore I do not think that the Government should enter into any taxation proposals before this decision has taken place.

But the question is what are we to do with our deficit? In the first place from the experience of this Council for the last 4 or 5 years these deficits, as the honourable member the Deputy President remarked, are not certain to materialise. Then again if the Council sits tight upon their powers of the purse Government will be compelled by themselves to devise measures of retrenchment to cover the deficit to a great extent. Lastly even supposing that some deficit remains uncovered it will not make the heavens fall considering the large balances that we have got. The Honourable the Finance Member may possibly stay his hands from the 1 crore and odd which he proposes to utilise for the Sukkur Barrage. At any rate during the next year the heavens are not going to fall if this proposal of taxation—and also the other two proposals—are not accepted by this Council. I hope the actual facts will prove much better than the gloomy prophecies of the Honourable the Finance Member. For all these reasons I think this bill should not be accepted by this House.

Rao Saheb D. P. DESAI (Kaira District): Sir, I oppose the first reading of this bill. I had expected that after the speeches and debate on the budget on this side of the House, the Finance Member would not have taken the trouble of coming to the House with bills for fresh taxation. That was a natural corollary or a natural inference which any member of this House would come to. Sir, as you are aware, this House is very

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reasonable, at least the non-official side of it, Sir, is very reasonable, in giving to the Government purse whenever Government demand it; yes, it is seldom that the purse has been actually refused by this House. But unfortunately, the conditions in which our presidency is labouring at present are such that I do not think this House would be justified in giving more money to a Government which has proved by the experience of the last five years to be an extravagant Government. At a time when even England, who had incurred huge expenditure during the war, is reducing her taxation we are considering measures for taxing a poor country more, and if we take the example of that country alone, we would be justified in throwing out this Stamp Bill. Again, Sir, you know very well that we are passing through a period of slump, and this is the time when the Government should come forward by retrenchment proposals to reduce even the present taxation, either of land revenue or other taxes, so that the people would be relieved to some extent from the heavy pressure imposed on them by the State. But instead of that, to find the Honourable the Finance Member coming forward with a taxation proposal is, I think, quite contrary to the actual condition of our presidency, and I would request the opposite benches, under these circumstances, just to see whether they cannot reduce their huge expenditure and reduce even the present taxation, so that people may be relieved to some extent from this pressure.

Some exception was taken by some of the members on the opposite benches when the honourable member Mr. Joshi referred to the Excise Department. I think, Sir, that I am also of the same view. We can save a lot by abolishing the Excise Department, and that I have put down in my minute of dissent that since you have got already your own agency, Government agency, in every village, that agency could be very easily utilised for the purpose of preventing illicit distillation and importation. By keeping one or two men in the headquarters or in the taluka town you cannot prevent illicit distillation or importation of liquor. If you want to reduce it, take into your confidence the leaders of the village and, give power to the police officers and revenue officers who reside in the village. You do not do that; on the contrary you bring forward proposals for increasing the present staff of the Excise Department. I think if Government fully considers this matter and looks backward, they will find there was no Excise Department before; the whole work was being done by the revenue and police officers in the districts. So if this work is done by this agency, I do not think any additional establishment is necessary. Now that the auction system is introduced, I ask the Honourable Minister of Excise: What has the inspector got to do now? He has simply to go and sign his name in the book kept in the liquor-shop. He has not to actually check the liquor in the shop and see at what price liquor is sold, how much is left and how much is sold, and so on. He has simply to pay a cursory visit and write his name. The inspectors are practically, of course, without work, except of course for the work of the prevention of illicit distillation, which they cannot do, living as they do in the taluka headquarters and,

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as they do not know the persons who actually distil illicit liquor, they cannot be expected to detect crime nor can they prevent it. So I would endorse the opinion of my honourable friend over there and ask for the abolition of the Excise Department.

Mr. G. WILES : Sir, I do not intend to make use of any tricks of rhetoric. As I said yesterday, I am a mere cobbler in the Finance Department. I have no axe to grind but that of the financial prosperity of this presidency. I do not desire even to defend the financial administration of my honourable member in front of me. He is more than capable of doing that himself. I have tried with the greatest simplicity to put forward in my memorandum in the budget the exact position of the finances of the Bombay Presidency. The honourable member from Sukkur would call our bluff. I say there is no bluff to call. All our cards are upon the table. We have given you all the ammunition you want—arrows for the bow of the honourable member who represents the Bhils of Panch Mahals, and thunderbolts for the greater gods.

We have been told that our estimates have always been wrong in the past, and that there is no use in believing them now. In the past we have always been able magically to convert an estimated deficit into a surplus or a small surplus into a larger surplus. That sounds very plausible, Sir. I will even admit that there is some small substratum of truth in the assertion. We have been unexpectedly successful in keeping down expenditure below the sums that were budgeted. In the worst year of all, to which my honourable friend from Sukkur referred with such stress—1922-23, we were able by a great effort to effect retrenchment which amounted to more than a crore of rupees. The effects of that effort lasted well over the following years. Will every honourable member search the tablets of his memory and recall how many times that cursed phrase “financial stringency” has stood in the way of some work in which he was interested?

Let me remind the House that the activities of the Finance Department do not cease with the presentation of the budget. We work the whole year round. The Finance Department is always on the look-out for some method of saving money for Government, some method of increasing our revenue, however small the amount. Is it unreasonable that the result of these efforts should sometimes be reflected in the small or large increases in the surpluses which we have at the end of the year?

I will not pretend that there are not other factors which enter into consideration. As the Honourable the Finance Member told the House yesterday, every budgetting officer has been learning since the year 1921 how to budget. The tendency has been to err on what he considers to be the right side, and what the Finance Department considers to be the wrong side. We have gradually been overcoming this tendency, and I think the figures which I have placed before the House in my memorandum distinctly show that. By our system now of deducting a lump sum for probable savings, I hope we have reduced to a minimum the risk of over-budgetting.

[Mr. G. Wile-]

This desire to be on the safe side is in itself nothing immoral. I am not making any accusations against any officer of deliberate concealment or falsification of his estimates. I hope the Finance Department and the Audit Department are capable of dealing with any such thing. But a multiplication of small efforts to be safe can amount to a large sum in a budget of Rs. 14 crores.

Another interesting phenomenon in accounting for the increase in our surpluses is the belief of officers in their capacity to spend money. Our engineers, as the House knows, are notoriously optimistic. If I may be permitted without disrespect to use a homely simile, I will say that every one of our Ministers has an appetite larger than his stomach. I speak metaphorically, Sir, and in no spirit of levity or disparagement of our Honourable Ministers. It is their duty to have large appetites, and the Finance Department has always been extremely lenient in supplying them with fuel. But the fact remains that, year after year, certain departments have always found themselves unable to spend all the money which the House has voted for them. The truth is that in continually expanding departments it is very easy to miscalculate the speed with which new services can be introduced; and when departments are served by officers in command who have a high sense of duty and feeling for economy, then we are bound to have surpluses; it is not a bad thing. The Finance Department, however, now take this factor into consideration, and have brought it into check by a system of budgetting for probable savings.

Another point which was referred to by the honourable the Finance Member yesterday was the addition to our balances in the shape of adjustments of our accounts with the Government of India. I think I need say no more by way of explanation of the addition to our balances. As a plain man I say quite definitely that I think we have no right to expect that our calculations for a deficit next year will be found to be incorrect, at any rate, incorrect on the right side. The deficit is only likely to be more, for only a short time ago I heard from the Commissioner of Excise that the estimates which he expected, and put in his budget, of receipts from the sales of country liquor shops are less by Rs. 16 lakhs than the figure in the Blue Book, and I ask the House not to forget that the rejection of this bill will lead to an addition of the deficit shown in the budget. In working out our figures, we have calculated that the receipts from Stamps will be included.

I next come, Sir, to the argument that having got excess balances, instead of continuing taxes or imposing new taxes, it is our duty to return them to the people. I submit, Sir, that that is exactly what we are proposing to do in the budget which has been put before the House; we are returning to the people certainly not less than Rs. 60 lakhs, and it may be Rs. 100 lakhs, in the shape of a deficit. And we are returning to the people of Sind over a crore in the shape of the contribution to the Sukkur Barrage works. The remaining balance of Rs. 1½ crores will be



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well within the 15 per cent. limit to which I have referred in my memorandum, and by no means an excessive reserve.

My honourable friend from Sukkur has indeed protested against the loan for Sukkur Barrage. He wants to keep the entire balance in a fluid state. I confess I am at a loss to guess his meaning. Does he wish us to retain this huge reserve, so that he can suck from it in the shape of deficits year after year? I do not think so, because he has already advocated that whatever be our deficit this year, it shall be met from the balances. Can it be that he is merely using a flower of speech? Is his fluid that of the poet who sang

Today let us drink and be merry,  
For tomorrow we die?

That is not the manner in which I recommend the House to manage public finance.

My honourable friend from Ahmedabad says it is a vicious principle to utilise our balances for capital works. My view is exactly contrary to that. I say that there can be no better use for a Government which is spending large sums on capital works than to utilise surplus balances for the purpose.

Is not the path we have chosen better? We have reduced our demands to a minimum. Let honourable members search in the budget to see this for themselves. His Excellency told us in his address that by the orders of Government no less than Rs. 120 lakhs were cut off the draft budget as it came from the departments. We have arrived at an inevitable deficit, and we propose to reduce it as much as we can by retaining this bill.

Mr. B. G. PAHALAJANI: May I know the minimum revenue expected out of this bill?

Mr. G. WILES: I will come to that presently. This is a bill which is already in force in the greater part of India. Is not our case for a revision of the Meston Settlement increased manifold thereby? I do not mean to imply that there is any immediate prospect of a revision of the Meston Settlement, and I would warn the House not to be led away by Dr. Paranjpye's enthusiasm. I do not think we should indulge in the hope that we shall soon get a revision of the Meston Settlement. We have recently obtained a remission of the Excise Duty, and though our provincial funds are not immediately added to thereby, the benefits of that remission will undoubtedly loom large in the eyes of every one in India. This remission must, I submit, Sir, weaken our immediate claim.

But the claim to a further share in the revenue derived from our industries is so just and so insistent that it must succeed at no distant date. Let us do nothing which will in any way detract from its merits. This taxation is not new taxation. Too many honourable members have referred to this bill as if Government is putting a new taxation proposal before them. This is a tax which is in force to-day and it

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has stood the test of four years. In my humble and respectful opinion it would be a mad act to throw away the receipts from this source just at a time when we need all our resources. My honourable friend Dr. Paranjpye thinks that we should wait till the Government of India has dealt with the proposals of the Taxation Enquiry Committee. I most respectfully beg to differ and most emphatically differ. Is the House not aware of the treatment that we have received from the Government of India; and their love for Bombay? That does not lead us to believe that the Government of India will be in a hurry to come to our rescue. The best answer I can give to the assertion that this bill is beyond the taxable capacity of the people of this presidency is that it is in force to-day and it is being paid without protest. If it can be paid in Bengal where the standard of living is much lower than in Bombay, can it be said that it is beyond the capacity of the people of this presidency?

It has been made an object of complaint, though I fail to see how any one has been injured thereby, that the estimate of proceeds from the tax has proved fallacious. The honourable member for Sukkur would deduct the previous year's revenue from the following year and call the difference the proceeds of the tax. Such a calculation is of course useless.....

Mr. B. G. PAHALAJANI: What I said was: Increase on account of the increased rates for the previous year.

Mr. G. WILES: It is obvious, as will be seen from the table in the Blue Book, that our revenue from non-judicial stamps was rapidly falling at the time the revised duties were introduced. It is extremely difficult to estimate what the fall would have been. But it is obvious that the probable fall must be included in the estimate of receipts. I made careful enquiries of the stamp officers. Those experts report that from a very conservative estimate the minimum loss will be 21 lakhs. According to my calculations I think it will be more.

On the question of the weight of stamp duties and its incidence on the province I desire to say only a few words. In comparing the stamp duties of various countries it is not enough to ascertain the incidence of an individual tax; but the place of individual duties in the general system of taxation is obviously of the greatest importance. In England the Stamp duties may be very low. In France they are very high. Different countries have different methods of spreading their taxation. Here in India the revenue from stamp duties fills a very large place. Honourable members of this House know that our revenue from stamp duties is one of the three greatest sources from which we derive our revenue.

Before I sit down I desire to explain certain points raised by the honourable member Mr. Joshi. He was making certain remarks about the inauguration grant when I interrupted him in order to remove the misunderstanding regarding this grant. The House will remember

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that when His Excellency took over charge there was an inauguration grant of Rs 90,000 voted by this House. That was a grant for five years. The sums which are now being asked year after year are the exact sums which it is anticipated will be spent during the year. You will find in the actuals column the amount spent last year.

On the question whether certain officers' salaries are voted or non-voted I can only say that the honourable member ....

The Honourable the PRESIDENT: I have already decided that that point is not within the scope of this bill and therefore no reply is needed.

Mr. G. WILES: Then I have nothing more to add, Sir.

The Honourable the PRESIDENT: There are three taxation bills and three days are allotted for their consideration. I propose to put to the vote of the House each bill in the course of each day if possible. This is a very important matter and I hope honourable members will be brief.

Mr. LALJI NARANJI (Indian Merchants' Chamber): Sir, I oppose the first reading of the bill for the following reasons: In the final reply to the budget discussion made by the Honourable the Finance Member, I expected to get replies to all the points raised in this House in the course of the discussion, but I fail to see in that speech the reply to the most important point that the Government of Bombay is embarking on a dangerous loan policy. His view is quite the reverse to that which would be held by one who has got the financial interest of this presidency at heart. Is it not a dangerous policy for the Finance Department to invest the balances of revenue on works which are doubtful of success. Even assuming that the work will prove successful, is it not a very ungenerous policy that the money that is raised from the taxpayer, without the consent of this House, should be invested in works similar to the one which has landed this presidency in a great financial crisis. It is all very well for the Honourable the Finance Member to say that the Sukkur Barrage will be a success. Has he the power from this House to invest this balance of one crore three lakhs in such works? If he wants money he can certainly, as he has been able to do so long, raise a loan and add it to the already existing debt, which has amounted to 60 crores as I pointed out the other day. The Honourable the Finance Member in the course of his speech yesterday said that if the Bombay Government had landed this presidency in a loss by a speculative transaction to the tune of 3 crores, the mercantile community had landed itself into a loss of 11 crores during the last five years. Perhaps he collected these figures from the report of the liquidation of companies. I want to ask him whether he places himself in the same category as a private company? Further the figure referred to by him was only authorised capital and not paid up capital, and some amount might have been recovered in the liquidation. Therefore the loss by commercial community will be found much less than the

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Honourable the Finance Member suggested. But here the case is very doubtful and the success of the work is doubtful. When the taxpayers' money is being spent in this speculative manner, will this House give its consent to further taxation ?

Now, Sir, I will just refer to the manner in which the Finance Department takes the credit of putting all the cards on the table. The honourable member the Finance Secretary has referred to that and do we not know that it all depends entirely on the way he puts the matter before us ? He wants to take for civil works more from revenue, this year about one crore, which he took from loan works. From one item alone he says he can take 50 lakhs. In the same way if he wants to postpone some expenditure I do not think this House will be in a hurry to tax themselves. The proposition that he has placed before us is that he wants to remove some words from the Act, and by saying that, this tax will be saddled upon us permanently for ever. I ask him whether he is going to tax this Presidency for the finances which are not required for this presidency ? He says that Government is going to continue this tax for ever in order that the finances of this presidency may be put on a sound basis. But I ask him, is that the way to do that ? He says retrenchment was postponed expenditure. Last year or year before last he challenged my statement but this year he has admitted in his remarks that retrenchment is not retrenchment but that it is merely postponed expenditure and our expenditure has risen by 1 crore 14 lakhs, and I ask why is this ? The answer is that it is because of the speculative enterprises that Government are taking in hand and for which we are asked to pay interest and sinking funds from the general revenues. How are the general revenues going to pay for these enterprises ?

I will refer to another matter, and that is that from the appropriation reports of every year, if they are examined, it will be found that there are certain statutory commitments, which are certainly definitely going to end in a few years. Let me refer to our payment of 63 lakhs towards famine fund which will end in another three years. Another payment of 29 lakhs will also end in the same period. Is it fair now to propose permanent taxation without sufficient grounds ? The honourable member Dr. Paranjpye has already replied to certain arguments that the honourable member the Finance Secretary has brought forward. Is not the honourable the Finance Member agreeable to stop at a certain stage in these matters ? We are already paying to the Imperial Government large sums and he says he is proposing to continue this tax in order to meet the deficit of 60 lakhs. I do not want to refer to all these matters in detail as the Honourable the President has given me a warning. And I am not therefore going to repeat the same grounds, but certainly I am only referring to one more matter and that is that he says that the Government are not clever in propaganda. I ask, are not Government clever in the propaganda of the capital expenditure that they have taken ? They have spent thousands of rupees over propagandas, over the sale of development lands in suburbs which are all the heavy commitment, and which propaganda has brought forth nothing.

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Then the other point made is that all the heavy commitments made by this Government are made for the agriculturists and I will appeal to the representatives of agriculturists in this House to oppose this bill as we all know that the position of the agriculturists has not at all been better. In fact, it is much worse. In fact, the agriculturists of this presidency are not at all better than the prisoners in His Majesty's jail, and if you look at the Labour Gazette you will see that the ordinary food that an agriculturist gets is much less than a prisoner is getting in His Majesty's criminal jail.

Now, Sir, I fail to see how the Honourable the Finance Member is depicting to this House a luminous picture of this presidency so far as agriculturists are concerned. I am not going to refer to commerce and industry, because at present there is a depression we all know, and prices have risen, and on all sides, it will be admitted that the finances of the presidency are not at all prospering. I must point out to this House that we are not prospering, the value of money has gone down and all these facts, therefore, ought to be taken into consideration before sanctioning fresh taxation. I, therefore, appeal to this House to throw out this bill, and I appeal to Government that they will be better advised if they withdraw this bill.

Mr. J. ADDYMAN (Bombay City): Mr. President, having sat for a considerable time before the painful spectacle of almost continuous opposition to this important measure, I am really thankful now to have the opportunity to support the bill. Sir, throughout the period that I have been here to represent the interests of my constituents it has always been my policy to consider every subject placed before this honourable House, on its merits. The bill before us appears to me to be a necessary bill and one which ought to be accepted.

I am inclined to say, Sir, that honourable members opposite are rather more far-seeing than we give them credit for and the opposition appears to me to be due more to the fact that the elections are drawing near rather than to any other reason. How easy and pleasant it will be for honourable members when the time arrives to ask for a continuance of support, to say to their constituents, consider what we have done, we have successfully opposed all taxation. But to complete the story, honourable members would also have to say, we have retarded progress in all nation-building departments. We have retarded progress in education, irrigation, sanitation, and indeed in every scheme for the uplifting of the masses. Tell your constituents the full story and then note what their reply would be.

The bill before us, Sir, is not a new bill but one which seeks the continuance, for a further period, of taxation which has been in force for the last four years. One honourable member when giving his reasons for opposing the bill told us that before introducing taxation Government should make quite sure of the ability to pay the tax. In view of the fact that not one honourable member has produced the least evidence

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of inability to pay the tax, I think the house will agree that ability to pay is an established fact. Not one single honourable member who has spoken in opposition has satisfied me in the least that this tax has proved to be a burden on those called upon to bear it.

Another honourable member gave as his reason for opposing the bill, that if we threw out all taxation bills the Government of India would more quickly be brought to a reasonable attitude toward this presidency.

Sir, I hold an entirely opposite view. Until we have tapped every source and explored every avenue of taxation, and in fact helped ourselves to the best of our ability, we cannot expect that full sympathy and support every honourable member desires we should receive from the Government of India. We have first to prove that we have done our level best to help ourselves, and I submit that on these grounds alone the bill is fully justified.

If this bill is rejected, and I feel perfectly sure it is not going to be, it would simply mean this, that Government would lose at least 20 lakhs per year which would indeed be a very serious matter, and, as I have already stated, would seriously retard progress in those great schemes which we all have at heart.

I appeal to honourable members to fully realise their responsibilities on this occasion, and if that is done, I am sure this bill will have the support it deserves.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to oppose the first reading of this bill, and in doing so I shall be very brief. Government have always told us that if fresh taxation is not sanctioned, then the efficiency of the various departments will be very much lowered. On that representation, Government have in the past obtained fresh taxation. But what is the efficiency of the departments, of which so much was talked of at the time? Take, for instance, the efficiency of the police. I shall read from the Blue Book, page 85:

*"District Executive Force: The decrease in the revised for 1925-26 as compared with the budget for the same year is chiefly due to less expenditure under (1) "Pay of Officers" and (2) "Pay of Establishment".*

What I want to make out is, Government get their demands from us, but they do not utilise the grants to the full, and thereby they impair the safety of the public. Take as a concrete instance, the answer which was given to me only this afternoon. I am referring to part (e) of the question I had asked:

*"Whether it is a fact that the citizens of the place attribute the non-detection of offences to the incompetence of the police."*

Now, to this the answer given was:

*"Government are not aware that such a view is generally held by the citizens of Sholapur."*

I do not quarrel about this part. But let us see further:  
*"nor would it be justified by the facts."*

[Mr. A. N. Surve]

Now, what are the facts? The facts show that non-detection of crime is gradually increasing. In the year 1923, the cases detected were 82 per cent.; in 1924, 72 per cent.; and in 1925, 66 per cent. Taking it from the percentage basis, you will see that the efficiency of the police has fallen off by nearly 20 per cent. in the course of three years. And still the Government benches tell us that the statement made by me is not justified by facts. Sir, if Government are going to imperil the public safety in this way, then I do not think there is any ground for this House to sanction fresh taxation. With these remarks I resume my seat.

MOULVI RAFIUDDIN AHMAD (Central Division): Mr. President, at the conclusion of his reply an appeal was made to me last evening by the Honourable the Finance Member to consider the matter of this taxation in the watches of the night. I have considered the matter and I am not against taxation, but I want a little more light upon some point and I want to have that from him. The unkindest cut of all has come from an old comrade of his. A Minister, when he comes from that side to this, entirely changes his attitude. Coming as he does fresh from the Taxation Committee, full of principles of political economy and public taxation, he has no doubt made a very telling speech. But he has not convinced me, because I do not think that as a matter of principle this bill can be opposed. But I do think, Sir, that Government had very few official supporters on this question. I see dead silence on the lips of the colleagues of the honourable member before me (Sir Henry Lawrence). I do not know whether his colleagues agree with him. They say that the appetite of the Ministers of the transferred departments is very very great indeed, but that pronouncement has so far come from a different quarter and not from themselves. Therefore it is open to doubt whether they support this taxation. I therefore would like to hear, both his Indian colleagues opposite and the Ministers themselves, how they justify this taxation. If they make out a clear necessity for the bill I am sure I will not vote against the bill. But I should like to have more light. The speech of the honourable member, the Secretary of the Finance Department, was no doubt a good one, but it was a Secretariat speech and not a convincing speech. The Honourable the Finance Member, Sir, is a great master of jibes and jeers: he launches sarcasm after sarcasm, hissing pot into the soul of his victims. But sarcasm, after all, Sir, is the weapon of the weak. I want him to try persuasion this time. There is no man who knows more about finance than he although we profess to be superior to him: He is a very strong and able man, and therefore we expect something more from him than sarcasm. I may assure him that I am not sent by my constituency here to wreck the Government. I assure him that it is not the object of any Mahomedan member of this Council unnecessarily to embarrass the Government. We have not come here to wreck the constitution. We are here to do our duty to our country and to our community. We shall be reasonable and not fanatical. In conclusion, Sir, if Government members opposite convince me, I shall not hesitate to support this bill.

The Honourable Sir GHULAM HUSSAIN : Sir, I had no mind to speak on this occasion, but in response to the challenge of my honourable friend I would like to make a few observations. I have been getting incessant demands from the local bodies for grants ; and if I total them up, they will come up to crores of rupees. In fact, in this presidency, the tendency on the part of the local bodies is not to tax themselves, but to rely more and more upon Government grants-in-aid. Though they already get—the local boards alone—more than a crore of rupees, yet they are not satisfied. They asked me to appoint a committee, and I appointed one. The recommendation of that committee is that reserving the datum line in regard to education, Government should give the district local boards for every rupee of theirs two rupees from the provincial purse. If this proposal is accepted, then Government's liability will be unlimited in the future, and even for the present it will amount to not less than 40 lakhs of rupees. Now the honourable members of this House should bear in mind that money is to come from the people, whether they tax themselves through the local bodies for their local affairs or tax themselves through this Council for their provincial needs. They cannot have it both ways. If they want everything from the provincial revenues, they must accept additional provincial taxation. Either they should tax themselves locally for their local affairs if they want no taxation here, or they must accept taxation through this Council if they do not want local taxation. They cannot eat their cake and have it too. I would invite attention to the demands that we have received during the last few months. Surat wants water supply and drainage to the tune of several lakhs ; so also Ahmedabad and Karachi. Where is the money going to come from ? Are the coffers of Government inexhaustible ? The Muhammadans complain that they have not got sufficient money for their education. I, therefore, submit that unless they raise taxation locally, they must accept taxation here.

Mr. B. G. PAHALAJANI (Western Sind) : Sir, I rise to oppose the introduction of this tax as I did during the course of the budget discussion. I do it not on fantastic principles ; I do it not to please my future electorates as the honourable member for the European community insinuated. I do it because I feel the pulse of the people unlike the honourable member Mr. Addyman who represents the richest people in the country—European merchants and European officers who draw salaries from the State to live upon the trade and commerce of the country. I represent a people who live on their own soil. I represent a people who live and toil for the money that they get. This House has to see the official and the non-official side. The House has to see whether in the present state of the finances it is necessary it is fair that the poor people should be taxed. I think there is a difference between the finances of a merchant and the finances of a State, between the finances of an individual and the finances of a corporation to which the Honourable the Finance Member is fond of comparing. While it is the function of every individual to enrich himself to the best of his ability, while it is the duty and function of every corporation to



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enrich itself and declare large dividends, is it not the function of the State to declare larger dividends which are not for the benefit of the people, but for the benefit of the Back Bay or for the benefit of lending money out of our liquid securities to immoveable property? It is not the function of the State to accumulate large balances. It is not the function of the State, simply because the estimated expenditure, according to figures supplied, is greater than the estimated income, to ask the whole House to join them in taxing the people. Honourable members will know that when the late Mr. Gokhale addressed the Government of India in the Supreme Council at the time of the budget, it was found that all of a sudden the Government of India had an excess of 6 crores of rupees in its balances. It was then that he declared that it is the duty of the State not to accumulate large balances, but as balances accrue, to go on reducing taxation. It was then that Lord Curzon and the Finance Member then agreed with him that it is not the function of the State to act the miser, to act the part of a bania or an individual or a corporation but it was its duty to relieve the people. That is the principle of the State; that is the principle laid down in all economy books and I know positively that that is the principle of European political economy. Sir, that being the principle, what is the state of the finances at present? You have got at present 602 lakhs balances. I have told you yesterday why I do not believe the foretellings of Government. They are always wrong. There is no justification for maintaining the figures of the revised budget estimate for a year which has not expired. The estimates of 1925-26 represent the actuals of the last 8 months and the prospective expenditure for the next 4 months which can always be increased or decreased or easily manipulated. So then these revised balances do not form an exact representation of the actual state of the finances. If we refer to page 36 of the Blue Book, we find that in 1922-23 the normal revenue was shown in the budget as 14·27 lakhs. The revenue actually received was 14·12 lakhs. Where expenditure had been estimated by him to be 15·28 lakhs, it came to 13·11 lakhs. During the next year 1923-24 where the income was estimated to be 14·37 lakhs, it came to 13·92 lakhs. Where the expenditure was estimated to be 14·32 lakhs, it came to 13·39 lakhs. Next year 1924-25 the income was estimated at 13·91 lakhs, but it came to 14·65 lakhs; while the expenditure which was shown at 14·59 lakhs, it came to 13·39 lakhs. The estimated expenditure was 14·59 and actual—not the abnormal expenditure which had fallen from the Government of India—expenditure came to 13·39 against 14·59. Now the House will be prepared to see that during these years at no time has the expenditure gone up to 14 crores or beyond 13·5. In the year 1925-26—in which the revised estimates are not here mentioned—14·58 is shown as the budget expenditure and 14·17 as the normal revenue. The year is not let over and, therefore, this House is unable to say, and the Honourable Member in charge of the budget should be unable to say, what the actual expenditure is going to be. When we know that the expenditure is always falling short of the revenue, in spite of the great demands which the Honourable

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Ministers have been always anxious to meet, I ask whether it is necessary, Sir, in view of these actual facts on record to tax the poor people of the country. Who pays this tax ? It is the general stamp that is raised. Who is going to raise a cry of protest to the Government ? It is the ordinary cultivator, it is the ordinary man in the street, the ordinary debtor that executes a bond to the sowcar. It is that man that suffers most. Does the Finance Member expect that man to send him a petition that the tax is too much for him ? Is any general cry raised by the person upon whom it impinges most ? It is the effect of the taxation in actual working. It is the effect that the tax produces which the Finance Member always relies upon, that we have to see the effect of that taxation.

Now, Sir, I would take the House to the figures given by the Secretary for Finance and prove that the taxing margin in the case of the stamp duty and court-fees will never be raised. If you turn to the figures, Sir, given on page 27 of the Blue Book, you will find the income of all the years is given there. In 1920-21, before any increase was made, stamps produced an income of 1,77.3—both combined stamps—that is to say, stamps as well as court-fees. In 1921-22 the income was 1,64.4 ; and in 1922-23, before the Act came into force, before the Act was applied on the 1st of April, you will be pleased to see that the income was 176.6. That is to say, before the increased stamp duty came into force, the income actually increased from 1,64.4 to 1,76.6. Next year when the actual income was received—in 1923-24—it rose to 179.9, that is to say, rose by 3 lakhs only. In 1924-25, when both the Acts were applicable, it maintained itself at 178 lakhs. When the court-fees went out, it came to 1,73 and in the budget year the figure is 1,80. When the last year went out, only one Act was applicable. In the worst year the income was 1,64 ; the difference of income on both the stamps is only 16 lakhs. Now, Sir, I challenged the Finance Secretary to make a statement, which he never did, to say what is the income that is likely to be produced out of this tax ? Will it yield the 20 lakhs that he has foretold, or rather the Finance Member has foretold in his budget speech ? Is it ever likely ? Has the general stamps alone ever yielded 20 lakhs of rupees as the Finance Member has repeatedly said not only in this report but in the previous reports ? Has court-fee stamps ever produced 15 to 18 lakhs which the Honourable the Finance Member in his previous speeches and present speech has foretold ? I say, if you, Sir, refer to the figures referred to by Dr. Paranjpye, you will find the court-fees in the year 1923-24 and accounts rose temporarily from 81 to 88. In the next budget.....

The Honourable the PRESIDENT : I should like to know whether at this stage these elaborate figures are necessary.

MR. B. G. PAHALAJANI : It is necessary, Sir, only for the purpose of showing that the income that will arise from this will be so small that the united rise will not go beyond 10 lakhs and is absolutely insufficient to cover the alleged deficit of 60 lakhs that is being charged against us, for which this attempt is being made. It is only for the purpose of showing that it is not possible to have an income so alleged ; on account of the maximum taxing

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capacity of the people being reached that it is useless to put an Act of this magnitude or to expect that putting into force three Acts of this kind, you will get a yield sufficient to cover a deficit of 60 lakhs. It is on that ground alone and on the ground that it is not possible for the people to bear this additional taxation that I oppose this tax.

An Honourable MEMBER : I move the closure.

The Honourable the PRESIDENT . As the Education Minister wishes to speak, I will allow him to do so and thereafter, if any one moves the closure, I will accept it.

The Honourable Mr. B. V. JADHAV : Sir, the budget has been presented by the Honourable the Finance Member, and we all realise that it is a deficit budget. As matters stand at present, there is a deficit of 60 lakhs, and the House has already realised that Government have cut all unnecessary expenditure to the very limit. The new items have been pruned to such an extent that it will be very hard for the departments to carry on, and if 20 lakhs are to be lost by the rejection of this bill, then I see how difficult it will be to manage especially in the transferred departments. We all desire that these departments should be worked more and more efficiently, and this House is also very insistent that the efficiency of the departments should increase by sanctioning higher salaries to the low-paid servants. If the revenues are to dwindle down, then I shall like to ask the House how all these demands are to be met. The Medical Department wants more funds ; the Industries Department wants development ; and the Education Department can never have enough. These are the three departments for which I am responsible, and I think that it will be very hard to carry on if money is not voted. Voting of budget grants on these departments will not help much, for if there be no money in the treasury, it will be very hard and very difficult to spend money on the necessary services. In that way, I think, the people will have to suffer. The education of the backward communities and Mahomedans will feel the pinch, because these communities are now on the way of getting something which they did not get before. More and more schools have to be opened. The district local boards have begun to function, and 300 new schools have been opened in the district of Satara alone. I think in other districts 200 more schools in each will be opened, and that will require a good deal of money. So, what I have to bring to the notice of the House is that it is the duty of this House to see that all these essential services are carried on, and everybody realises that without money these things cannot be carried on. I, therefore, implore the House with all the emphasis at my command to take these things into consideration, and I do trust that the House will vote for this bill.

An Honourable MEMBER : Sir, I move for a closure.

The Honourable the PRESIDENT : I accept the closure and call upon the Honourable the Finance Member to reply.

The Honourable Sir HENRY LAWRENCE : Mr. President, the first point I should like to deal with is the point raised by the honourable member for the Indian Merchants' Chamber. He has urged the House to consider that it is an improper use of our balances to invest them in the Sukkur Barrage. We have a crore and 3 lakhs which we propose to invest in the Sukkur Barrage, and the honourable member is of opinion that this infringes some canon of financial propriety. I am unable to guess where he has found such a canon of financial propriety. It is not known to any book on Public Administration that I have ever seen. It has been the ordinary practice of the Government in India, it is the ordinary practice of Government in the United Kingdom to finance all activities of the Government from revenue, and only to resort to loans in the last resort.

Mr. LALJI NARANJI : Will the Income-tax Collector allow that ?

The Honourable Sir HENRY LAWRENCE : If money is available, and you can avoid borrowing, is it not good business to put your money into that work, whatever it may be, and avoid undertaking further loans ? In this particular instance, we have to build the Sukkur Barrage from borrowed money. In regard to our ordinary balances, the Government of India have given us, after long struggling, the offer of  $3\frac{1}{2}$  per cent. on any balances that we leave in their custody. We do not consider that a sufficiently good offer. On the other hand, the Government of India offer to lend us money for the Sukkur Barrage at  $5\frac{1}{2}$  per cent. We do not regard it as a good financial proposition to place this crore of rupees with the Government of India and obtain  $3\frac{1}{2}$  per cent. interest on it, and, at the same time, borrow a crore from the Government of India and pay  $5\frac{1}{2}$  per cent. interest. I think that gain of 2 per cent. will appeal to the commercial intelligence of my honourable friend opposite. It is a perfectly sound business proposition. We are saving and adding to our revenue Rs. 2 lakhs, which we save in interest. The whole transaction is in accordance with the recognised principle on which the Government of India have always conducted their operations.

Mr. President, I do not know what effect was left on the minds of honourable members by the elaborate investigations of the honourable member the Deputy President. I did not myself fully understand what is the conclusion to be drawn from his criticism, beyond this general point that the Government had over-estimated their expenditure and under-estimated their revenue. Sir, the Finance Secretary and I have attempted to deal with that criticism in considerable detail. We have pointed out the difficulties that the Finance Department have coped with in criticising, cutting down and modifying the estimates of the several departments. We have told the House that we hope, with the further experience of these four years, to get the budget figures of revenue and expenditure closer to actuals next year. It is perfectly true that our actuals have been better than our estimates so far, but in that result there are many factors. There is not only a strenuous endeavour of the Finance Department to reduce expenditure during the time when we were afraid that the year's expenditure would exceed the revenue, but there has also

[Sir Henry Lawrence]

been a constant endeavour to make small departments self-supporting. We have been extending to the public in all great towns the advantages of safeguarding electricity, and for a long time the public revenue met those charges, and no return was obtained. We have recently devised a system, so that those people who obtain the benefit of the services of electrical inspectors pay for those services, and that particular department is on a self-supporting footing. So also for minor departments such as the Boiler Inspection Department. A large number of these small economies have gone to improve the financial position of the provincial exchequer.

Now, I must refer to the criticisms of my honourable friend opposite, Dr. Paranjpye. He has a very natural pride in the paternity, or the semi-paternity, or the semi-demi-paternity (I am not quite sure what fraction) of this report which issued this morning. Well, Sir, it is certainly a report of which to be proud. It covers 447 pages, and there has not been very much time for a thorough digestion of the subject. Nevertheless, there are one or two remarks that I would like to offer on the honourable member's proposals. His point is that we should do nothing now, because his small son has appeared. But, Sir, there is more to be said than that. It will take a very long time before the numerous suggestions made in this report can possibly be put into effect. And, is there anything in this report that will hamper us or put us in a worse position if we continue the existing system that is prevailing to-day?

I maintain that not only shall we not be in a worse position if we retain the existing taxation of to-day but we shall be in a far better position. We shall be compelled to enter into prolonged, detailed and intricate negotiations with the Government of India over the proposals of the Taxation Enquiry Committee with the hope whether we shall receive what we consider a just share of the income-tax revenue. What is the immediate proposal of the honourable member? It is that we should lose our non-judicial revenue and hand it over to the Government of India. Here on page 385-86 of the Taxation Enquiry Committee's report I find the system that has been recommended by the honourable member and his other five partners:

"The Government of India would determine the total sum they propose to distribute to the provinces. As soon as that point has been determined all that would remain to be done is to select basic rates for income-tax which would give the provinces a share of this tax which would be equal to the revenues now derived from provincial heads the transfer of which is proposed."

- In simpler language it means that next year if we receive a crore of rupees from non-judicial stamps, the Government of India would be bound to give us a crore of rupees from the income-tax revenue. But if at that time our revenue is 80 lakhs then the share of income-tax we should receive will also be 80 lakhs; that is to say, by diminishing our revenue by 20 lakhs next year we should lose 20 lakhs in our income-tax share in perpetuity. This is the most important point which must engage the attention of honourable members,

[Sir Henry Lawrence]

My honourable friend raised a certain prejudice against the existing stamp revenue on the ground that the percentages of stamp revenue in the United Kingdom are lower than they are here. Sir, I invite your attention to page 222. What is of value to a mathematical mind is absolutely futile to a practical mind. In the United Kingdom the duties on non-judicial stamps are 4·2 per cent. of 800 millions sterling or 33 million. In India it is 9·4 per cent. of 100 millions sterling or 9½ million. How can you compare the two if the comparison is not on equal terms? Such a comparison is absolutely futile for the guidance of this House.

Mr. President, one honourable member suggested that the Finance Secretary and the Finance Member are ploughing a lonely furrow—I think that is the correct phrase and he wished to see Ministers come and yoke themselves to the same plough. Now that two stout Ministers have yoked themselves to the plough the House will be satisfied that if money is obtained—the extra 20 lakhs which we hope to get—it will not be diverted by the Finance Department to any insidious purpose of its own and, not be hidden or spirited away across the seas but will be kept here for the benefit and use of the transferred departments presided over by my honourable friends. They will then be able to deal with some of those numerous demands for the benefit of the people which are being constantly put off and on which, in recent years, the Finance Department have been compelled to mark in blue pencil ‘no funds available’.

I sincerely trust that this House will consider these arguments and sanction the continuance of this stamp duty. I ask the first reading of the bill.

Question put. House divided. Ayes 45; Noes 10. Motion carried.

### *Division No. 1.*

#### *Ayes.*

ABDUL LATIF HAJI HAJRAT KHAN, Mr.	KAZI, INAITULLAKHAN.
ABERGROMBIE, Mr. J. R.	KHURRO, Mr. M. S.
ADDYMAN, Mr. J.	KOKANI, Mr. G. J.
AHMAD, MOULVI RAIUDDIN.	LAWRENCE, the Honourable Sir HENRY
BHURGRI, Mr. J. M.	MANSURI, Khan Sahib A. M.
BHUTTO, Khan Bahadur S. N.	MASTER, Mr. A.
BOLE, Mr. S. K.	McKEN, Mr. W. G.
BUNTER, Mr. J. P.	MEHTA, the Honourable Sir CHUNILAL.
DEHLAVI, the Honourable Mr. A. M. K.	MONTGOMERIE, Mr. A.
FERNANDEZ, Dr. COSMAS.	MOUNTFORD, Mr. L. J.
FRAMJI, Mr. K. S.	NEKALJAY, Mr. R. S.
GHOSAL, Mr. J.	NOOR MAHOMED, Mr.
GHULAM HUSSAIN, the Honourable Sir.	OWEN, Mr. A. C.
HAMID, M. ABDUL ALI, Mr.	PATHAN, Mr. A. F. I. K.
HARRISON, Mr. C. S. C.	PERCIVAL, Mr. P. E.
HATCH, Mr. G. W.	PITCH, Mr. F. W.
HEPPER, Sir LAWLESS.	RIDU, the Honourable Mr. J. L.
HUDSON, Sir LESLIE.	SHINDE, Mr. R. D.
JADHAV, the Honourable Mr. B. V.	THAKOR of Amol, the
JATOI, Khan Sahib HAJI SEBAI IMAM-BAKSH.	THOMAS, Mr. G. A.
JATOI, WADERO KADIRBAKSH.	WEBB, Mr. M.
JHANGIR, the Honourable Mr. COWASJI.	WILES, Mr. G.
	WOODS, Mr. E. E.

*Tellers for the Ayes.* Mr. J. ADDYMAN and Mr. E. E. WOODS.

## Noes.

ABDULFURKAR, Mr. N. A.  
 ADWANI, Mr. D. B.  
 BHOPATKAR, Mr. L. B.  
 DADACHANJI, Dr. K. E.  
 DESAI, Rao Saheb D. P.  
 DEV, Mr. S. S.  
 DIXIE, Dr. M. K.  
 GUNJAL, Mr. N. R.  
 HAJI, ABDULILAH HAROON  
 JOG, Mr. V. N.  
 JOSHI, Mr. P. G.  
 KARKI, Mr. M. D.  
 KOTHARI, Mr. V. R.  
 LALJI NARANJI, Mr.  
 LALLJEE, Mr. HOOSAINBHAY A.  
 MAVALANKAR, Mr. G. K.  
 MUKADAM, Mr. W. S.  
 MUKHI, JETHANAND PRITAMDAS  
 NARIELVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.

PAHALAJANI, Mr. B. G.  
 PARANJPYE, Dr. R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATEL, Mr. G. I.  
 PATIL, Mr. D. R.  
 POWAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 RAHIMTOOLA, Mr. HOOSENALLY M.  
 SAHEBA, Mr. H. D.  
 SAKTARSHI, Mr. C. M.  
 SARDESAI, Mr. S. A.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SURVE, Mr. A. N.  
 SURVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.  
 VELKAR, Dr. M. B.  
 WADIA, Mr. C. N.

*Tellers for the Noes:* Dr. R. P. PARANJPYE and Mr. D. R. PATIL.

The Honourable Sir HENRY LAWRENCE: Mr. President, with your permission I ask that this bill be read a second time.

The Honourable the PRESIDENT: The question is that the bill to amend the Indian Stamp (Bombay Amendment) Act, 1922 be read a second time. To that there is an amendment from the honourable member Mr. Surve. I should like to inform honourable members that as the second reading has been taken up immediately after the first reading, I will allow any other honourable member besides Mr. Surve to move any relevant amendment if he wishes to do so.

I call upon the honourable member Mr. Surve to move the amendment, which says that the effect of this bill be restricted to one year.

Mr. A. N. SURVE (Bombay City, North): Sir, I beg to move the amendment standing in my name, which is to the effect—

That in the second clause in line 6, omit the word "four" and substitute therefor the word "five" and in line 7 omit the word "repealed" and put in its stead the words...

The Honourable the PRESIDENT: Order, order. Honourable members are aware, that if the member in charge moves the second reading of a bill immediately after the first reading is carried, it is open to any honourable member to move without notice by way of amendments, either of the two alternative motions mentioned in the Standing Orders. The Standing Order in question is No. 5 of Chapter VIII, which reads as follows:

"(1) If the first reading of a Bill is passed, the Member in charge may make one of the following motions in regard to the Bill, namely:—

(a) that it be read a second time either at once or on some future day to be then stated."

That is what the Honourable the Finance Member has done.

(b) that it be referred to a select committee composed of such members of the Council as he may specify in his motion; or

(c) that it be published for the purpose of eliciting opinion thereon, for a period to be specified in the motion.

(2) Any member may make a motion as aforesaid by way of amendment.

[The President]

After the member in charge has moved one of his motions, any other honourable member may move as an amendment either of the two motions. I have received notice from the honourable member Mr. G. B. Pradhan that he wishes to move that the bill be referred to a select committee. There is another notice from the honourable leader of the Swaraj party of an amendment that the bill be published for the purpose of eliciting opinion thereon within two months from this date. The honourable member Mr. Surve's amendment will only come after the motion for the second reading is passed, and the bill is being considered clause by clause. On the motions before the House, I would give preference to the amendment of the honourable the leader of the Swaraj party, because that is for publishing the bill for the purpose of eliciting public opinion. That is tantamount to postponing it for two months. If that amendment is carried the reference to the select committee fails. If that is rejected then I will give the honourable member Mr. Pradhan an opportunity of moving that the bill be referred to a select committee. That is the procedure I propose to adopt. I take it the House approves the procedure which I have indicated.

Mr. L. B. BHOPATKAR (Poona City) : Sir, the amendment that I have proposed is under Standing Order VIII, 5, and reads as follows :

That the bill be published for the purpose of eliciting opinion thereon within two months from this date.

It is very simple in its nature. During the discussion on the bill one of the points of difference between the official and non-official benches was that while the official benches alleged that the Stamp Act was of a kind that will not press heavily upon the persons concerned, the non-official benches attempted in their own way to show that it will actually fall on people who will not be able to bear it. It is all very well for persons residing in Bombay and who are more or less birds of passage to speak in favour of the continuance of the Stamp Act, but certainly it is a very serious question for persons who have got a stake in the country. It is a matter on which public opinion has got to be elicited, and the only way by which that can be done is by acceptance of the amendment that I have proposed. Therefore, without entering into the merits or demerits of the bill, I do strongly request the House to accept the amendment.

Question proposed.

Mr. S. S. DEV (West Khandesh District) : Sir, one more ground for pressing this amendment is, that the House and the outside public will have an opportunity of considering what effect the report that has been published only this morning will have on the bill before us. Fortunately for us, one of the five authors of that report, I mean the honourable member Dr. Paranjpye, is amongst us to-day and he is opposed to the introduction of the bill. His opinion in this matter must carry great weight. Even the Honourable the Finance Member has had no opportunity to go through that report, which is a volume of nearly 500 pages. It will be absolutely necessary for the honourable members as well as the public to know how that report will affect the bill before us. It was a Taxation



[Mr. S. S. Dev]

Committee, and it must certainly have been confronted with the question now before the House. It will therefore be only fair on the part of the Government benches to extend this small courtesy to us, and let the House and the public have an opportunity of considering this taxation bill in the light of the report published only this morning.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, the Honourable the Finance Member is probably aware of the procedure that is usually adopted by the Government of India in sending bills or proposals for taxation to various commercial bodies and other institutions in the country for inviting their opinion thereon. In this case we are very doubtful of the effect that the tax will have on the people directly concerned with it. I hope therefore the Honourable the Finance Member will not grudge the courtesy of allowing the people to express their opinion on the effect that the bill will have on the presidency as a whole. I hope Government will follow the convention followed by the Government of India and also the practice followed by themselves in the past in sending such bills to commercial and other bodies for eliciting their opinion. I request the Honourable the Finance Member to consider this proposal favourably and to give time to the people to consider the bill. By the time that the public opinion is gathered, he will have sufficient opportunity to know the views of the Government of India and of other authorities in regard to the question of provincial contributions. That will also give time to heal the sore caused to us by his sarcasms. I hope he will give us the time required for healing on medical grounds.

The Honourable Sir CHUNILAL METHA: Mr. President, referring to the remarks of the last speaker, I think he is distinctly optimistic if he thinks that within the course of these two months negotiations of this prolonged character can be brought to a successful issue. It is perfectly impossible. The honourable member is supporting the motion and saying "Take as much time as you can", because the object of this amendment undoubtedly is to delay this bill. This must involve unnecessary loss of revenue and can hardly be accepted by Government. So far as the question of courtesy raised by an honourable member, I do not think it is a question of courtesy at all. This Act has been in existence for four years now, and it is not a new matter on which the opinion of the public has to be elicited. The bill has been published and it is a question for this Council to decide whether they will continue this Act or not. As the first reading has been passed by the Council it seems to me that this amendment will rather be going back upon the decision of the Council.

Dr. R. P. PARANJPYE (Bombay University): Mr. President, I wish just to make only one point about this. We do not know exactly what contribution we are going to receive this year from the Government of India. The Honourable the Finance Member may be in the know, but the general public do not know. At least until we know what has happened in the budget of the Government of India and what we are going to get from the Government of India, we cannot possibly accept a bill which says "Raise our taxation". Consequently it is proper that we should postpone the consideration of this bill and let the public

[Dr. R. P. Pranjppe]

express their opinion on it. After all the Government of India will consider the report of the Taxation Committee. Although they may not accept the whole report, the contention of the Bombay Government that the new division of the resources has not benefitted Bombay in the least, that the Devolution Rule 15 has not benefitted the provinces which it was intended to benefit but has benefitted those provinces for which it was not intended, may possibly lead the Government of India to accept the contention of the Government of Bombay. It is possible that we may get something from the Government of India, at least a remission of the contribution that has to be made by this presidency to the Government of India. Therefore I think it is time that the whole thing should be properly considered and that the bill should not be hurried in such hot haste as it is intended to be done at present.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Sir, the Honourable the Revenue Member said that this amendment has been brought forward to delay the passing of this taxation measure. It is necessary that the people of the presidency should be informed as to the nature of the tax that is going to be imposed. It was on account of the exceptional stringency four years ago that we passed the existing measure which enhanced stamp duty. Now there is no necessity for continuing that measure, and the people should be made to know what kind of burden is to be placed on their shoulders. Therefore it is necessary to elicit public opinion before the House proceeds with this bill. I think it therefore desirable that the House should accept the motion for eliciting public opinion and I hope the House will adopt it.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to support the motion for deferring the second reading of this bill. So far as I am aware I remember to have read that the Government of India are going to make an announcement on the Taxation Inquiry Committee's report at the budget session of the Legislative Assembly. If I am right then it is but fair that we should wait and see what that announcement is going to be. The second point is that if we hurry up and pass this bill in all its three readings to-day and if the Government of India in recognition of our just claims grant us enough money, what is the Government going to do then? As far as I am aware the Government of Bombay has never brought in a bill for reducing taxation up till now, and judged by the past, I think it will not be extravagant to think about the future that it will not be introduced by Government. If a non-official member attempts to bring in a bill for the reduction of taxation he will be required to obtain the sanction of the Governor General. It is well known that it is very rarely that the sanction is given to a private bill even if it does not relate to the revenue of a province, but if it does relate to revenue, I am sure it will never be given. Under these circumstances if there is no prospect of a reduction of taxation in either ways, i.e., either by Government or through the agency of non-official members, I think it will be better to wait. I support the amendment before the House.

Mr. R. G. SOMAN (Satara District): Sir, in the statement of objects and reasons published with the bill it is stated that the measure of 1922

[Mr. R. G. Soman]

was to remain in operation for 4 years from the 1st April 1922 and if at the end of that period the financial position still made it necessary its life was to be extended. If we are to allow the motion for the second reading to-day it would be pre-judging the financial position of this presidency before actually the budget has been voted upon. During the coming 12 days we are to have a discussion on the several demands in the budget and on the 18th of March we shall be in a position to say as to what demands have been actually granted by this House and whether there has been any reduction of the expenditure of Government. It would be I think against the objects and reasons as stated by the Honourable the Finance Member to pass the second reading of this bill to-day. In addition to the arguments advanced by me it is necessary that public opinion should be elicited because the burden is to fall on the rural population as well as the urban population. Unless the public is given an opportunity of expressing its opinion this bill should not be passed. When the original bill was first passed it was only because Government agreed to cut their expenditure by 60 lakhs or so. It was on account of that cut of 60 lakhs that the feelings of the people were appeased to a certain extent. If Government had not agreed to reduce their expenditure by 60 lakhs the bill would not have been accepted by the House at all. I therefore support the motion brought forward by the honourable member the leader of the Swaraj party.

Mr. J. ADDYMAN (Bombay City): Sir, I oppose the amendment before the House. The reason given by the mover is to enable honourable members to obtain the opinion of their constituents on this bill. I would like to ask honourable members, in view of the fact that this bill was published in the Gazette on the 22nd of January and circulated to members on the 25th January, if they have not had sufficient time to obtain the opinion of their constituents. I should like to ask the honourable mover of this amendment whether he considers that five weeks' time was not sufficient to obtain the opinion desired. Sir, I do submit that this is a deliberate attempt to waste the time of the House. Now, I do know, Sir, that one honourable member at least has tried to obtain the opinion of his constituents. because I was speaking to him last evening and he told me that he has had direct instructions from his constituents to oppose this bill. I do submit, Sir, that if one member has taken the trouble to carry out his duty, it was up to every other honourable member to do the same; and if this motion to postpone the bill is passed, it means the bill cannot come up for further discussion for another five months. I ask honourable members to bear in mind that a delay of five months will mean a serious loss in revenue.

Mr. N. R. GUNJAL (Poona District): (Addressed the House in Marathi): Sir, I support the amendment which has been brought forward by my honourable friend. Really speaking, it would have been better if there were no necessity to bring this amendment, and I think Government's policy in hurrying bills in this way is not at all a sound one and from the Government's own point of view there would be no real

[Mr. N. R. Gunjal]

loss by allowing more time for obtaining full opinion of the public on this bill.

Another thing which the House would do well to note is that the amendment in question is brought forward by my honourable friend Mr. Bhopatkar and it is opposed by my honourable friends Messrs. Addyman and Raffiuddin Ahmad. Really speaking, Mr. Addyman is a representative of the English moneyed classes and he does not know how much tax is to be paid by the poor people. We have to consider this point very carefully. Therefore, I submit that the amendment of my honourable friend Mr. Bhopatkar is worth considering and the House should accept it.

Now only a few minutes ago we have seen the farce of taking votes in this House and how the voting went on the previous bill. and if Government want to go through the same farce of taking the votes of this House on this bill, of the House constituted as it is at present, and to pass this in the teeth of the opposition of the responsible representatives of the people, then all I can say is that such a policy is unbecoming to the wisdom or statesmanship of this Government. We have to observe here that the honourable member Mr. Addyman from Bombay supports the bill and a "barrister" (lawyer) from Poona opposes. It should be remembered that the taxpayers do not consist of only Hindus and therefore my Mussalman friends should also take this into consideration. This bill should not be a bone of contention between Hindus and Mahomedans. In the House as at present constituted, however, what happens is that when it comes to voting, it is found that some European members oppose a thing, and some of the Mussalman members or all of them join them, and some of the non-Brahmin members also vote accordingly and some other non-Brahmin members, if they do not desire to vote for the proposition, leave the Hall for the time being to avoid voting . . . . .

The Honourable the PRESIDENT: Order, order. The honourable member must not attribute motives to his colleagues. He says that because some honourable members are afraid of giving their votes, therefore they run away. It is a clear reflection on their public spirit and I cannot allow it.

Mr. N. R. GUNJAL: I bow to your ruling, Sir, and will not proceed with the statement which I have made. But I submit that it is necessary to tell the people the real facts of the case. Only two minutes ago the previous bill was passed. It is necessary that the public should fully know what the representatives of the people who have been elected to this House have done and are doing. They should fully realise the farce that is going on for the last three years in this House, and how all sorts of resolutions and legislation get carried in this House. Now, during three days' budget debate, we the real representatives of the people have told Government what the real condition of the people is and what their grievances are, and it is certainly not right or fair on the part of Government to ignore all that. If Government desire to use and enforce their power in a good way and a beneficent way, they should give up

[Mr. N. R. Gunjal]

their policy of hurrying forward taxation bills, and the amendment of my honourable friend Mr. Bhopatkari is a desirable one even from the point of view of Government, and from the opposition's point of view it is the best one. Therefore, I submit that the House should accept the amendment.

Mr. G. B. PRADHAN (Thana and Bombay Suburban District): Mr. President, I support the motion which is before this House and I must tell my honourable friend (Mr. Addyman) that the motion is not made simply because we want to delay the consideration of the bill, but the Taxation Enquiry Committee's Report is published only this morning and there are definite recommendations made therein as regards the Stamp Act. So in view of these definite recommendations that the stamp duty should be reduced as regards certain documents, I think it is but fair that the public should get an opportunity of knowing the fact of the Taxation Enquiry Committee's Report, and if we ask that public opinion should be elicited, we ask for more time in view of the publication of this report. The motion which I also brought was also with this view.

The Honourable the PRESIDENT: The honourable member will have an opportunity to move it if he wants, after this motion is disposed of.

Mr. G. B. PRADHAN: My submission is that it may be that the passing of the bill may be delayed a few months, but as a point has been made that there has been no complaint from the public that this taxation is pressing heavily upon them, the benches on the opposite side will have the opportunity of knowing the public feeling. And also in view of the report of the Taxation Enquiry Committee recommending a reduction of this stamp-tax that is now being sought to be placed upon the statute book permanently, the public will also express their feelings and their views as regards the different stamp duties on instruments which are specifically mentioned in the Taxation Enquiry Committee's report. So, for these reasons I heartily support the motion that is before the House.

An Honourable MEMBER: I move the closure.

The Honourable the PRESIDENT: I am inclined to accept the closure, because most of the speeches have clearly indicated the position that is taken up by those who wish to support the motion and by those who wish to oppose it. It is now five minutes to 7 and it is desirable that the House should decide whether they wish to postpone the bill for two months or whether they do not. The next amendment for referring it to a select committee will be taken up on Monday. I accept the closure for the reasons explained and call upon the Honourable the Finance Member to reply.

The Honourable Sir HENRY LAWRENCE: Mr. President, I do not think that the House has heard any good arguments for the postponement of the conclusion of this matter. The honourable member who has just spoken wishes to consider the proposals of the Taxation Enquiry

[Sir Henry Lawrence]

Committee. Sir, those proposals cover a very great deal of debatable and intricate matter, and it will be quite impossible for any conclusion to be reached within the next two months or anything like it. Moreover, since the main proposal of the Taxation Enquiry Committee is that this taxation should be transferred to the Imperial Government, it is perfectly clear that whatever legislation may take place to alter the stamp duties, will take place in the Imperial Legislative Assembly, and will not be a matter for the discussion of this House. I suggest that a far more important matter for this House is the practical question which I raised in my last concluding motion, that if this House does anything to reduce their stamp revenue for this one year, they will suffer very severe losses in the share that they will get from the income tax revenue for many years to come. I do hope that that very practical issue may come home to the minds of some of the honourable gentlemen sitting opposite me. For that reason in particular, I ask that the House may proceed with this matter and may not agree to postpone further discussion for two months.

Question 'that the Bill be published for the purpose of eliciting opinion thereon within two months from this date' put. House divided: Ayes, 37; Noes, 43. Motion lost.

*Division No. 2.*

**Ayes.**

ABDULPURKAR, Mr. N. A.  
ADWANI, Mr. D. B.  
BHOPATKAR, Mr. L. B.  
DESAI, Rao Sahab D. P.  
DEV, Mr. S. S.  
DIXIT, Dr. M. K.  
GUNJAL, Mr. N. R.  
HAJI ABDULLAH HAROON.  
JUG, Mr. V. N.  
JOSHI, Mr. P. G.  
KARKI, Mr. M. D.  
KOTHEARI, Mr. V. R.  
LALJI NARANJI, Mr.  
LALLJEE, Mr. HOOSAINBHAY A.  
MAVALANKAR, Mr. G. K.  
MUKADAM, Mr. W. S.  
MUKHI JETHANAND PRITAMDAS.  
NANAL, Mr. B. R.  
NARIELVALA, Mr. H. H.

NARIMAN, Mr. K. F.  
PAHALAJANI, Mr. B. G.  
PARANJPYE, Dr. R. P.  
PATEL, Mr. D. N.  
PATEL, Mr. G. I.  
PATIL, Mr. D. R.  
POWAR, Mr. M. B.  
PRADHAN, Mr. G. B.  
PRADHAN, Mr. R. G.  
SAHEBA, Mr. H. D.  
SAPTARSHI, Mr. C. M.  
SARDESAI, Mr. S. A.  
SHIVDASANI, Mr. H. B.  
SOMAN, Mr. R. G.  
SURVE, Mr. A. N.  
SURVE, Mr. V. A.  
SWAMINARAYAN, Mr. J. C.  
VELKAR, Dr. M. B.

*Tellers for the Ayes.* Dr. R. P. PARANJPYE and Mr. D. R. PATIL.

**Noes.**

ABDUL LATIF HAJI HAIRAT KHAN, Mr.  
ABERCROMBIE, Mr. J. R.  
ADDYMAN, Mr. J.  
AHMAD, MOULVI RAFIUDDIN.  
BHUGGERI, Mr. J. M.  
BHUTTO, Khan Bahadur S. N.  
BOLE, Mr. S. K.  
BUNTER, Mr. J. P.  
DEHLAVI, the Honourable Mr. A. M. K.  
FERNANDEZ, Dr. COSMAS.  
FRAMJI, Mr. K. S.  
GHOSAL, Mr. J.  
GHULAM HUSSAIN, the Honourable Sir.  
HAMID, M. ABDUL ALI, Mr.

HARRISON, Mr. C. S. C.  
HATCH, Mr. G. W.  
HEDDER, Sir LAWLESS.  
HUDSON, Sir LESLIE.  
JADHAV, the Honourable Mr. B. V.  
JATOI, Khan Sahab HAJI SUBAI IMAM-  
BAKSH.  
JATOI, WADERO KADIRBAKSH.  
JEHANGIR, the Honourable Mr. COWASJI.  
KHURRO, Mr. M. S.  
KOKANI, Mr. G. J.  
LAWRENCE, the Honourable Sir HENRY.  
MANSURI, Khan Sahab A. M.  
MASTER, Mr. A.

## Noes.

McKEL, Mr W G  
 MISHA, the Honourable Sh CHUNILAL  
 MONTGOMERIE, Mr A  
 MOUNTIORD, Mr L J  
 NOOR MAHOMED, Mr  
 OWEN, Mr A C  
 PALL, Mr A E  
 PATEL, Khan Bahadur JAN MAHOMED  
 KHAN

PERCIVAL, Mr P E  
 PITCH, Mr F W  
 RILEY, the Honourable Mr. J. L.  
 SHINDE, Mr R D  
 THOMAS, Mr G A  
 WILBY, Mr M  
 WILKS, Mr G  
 WOODS, Mr E E

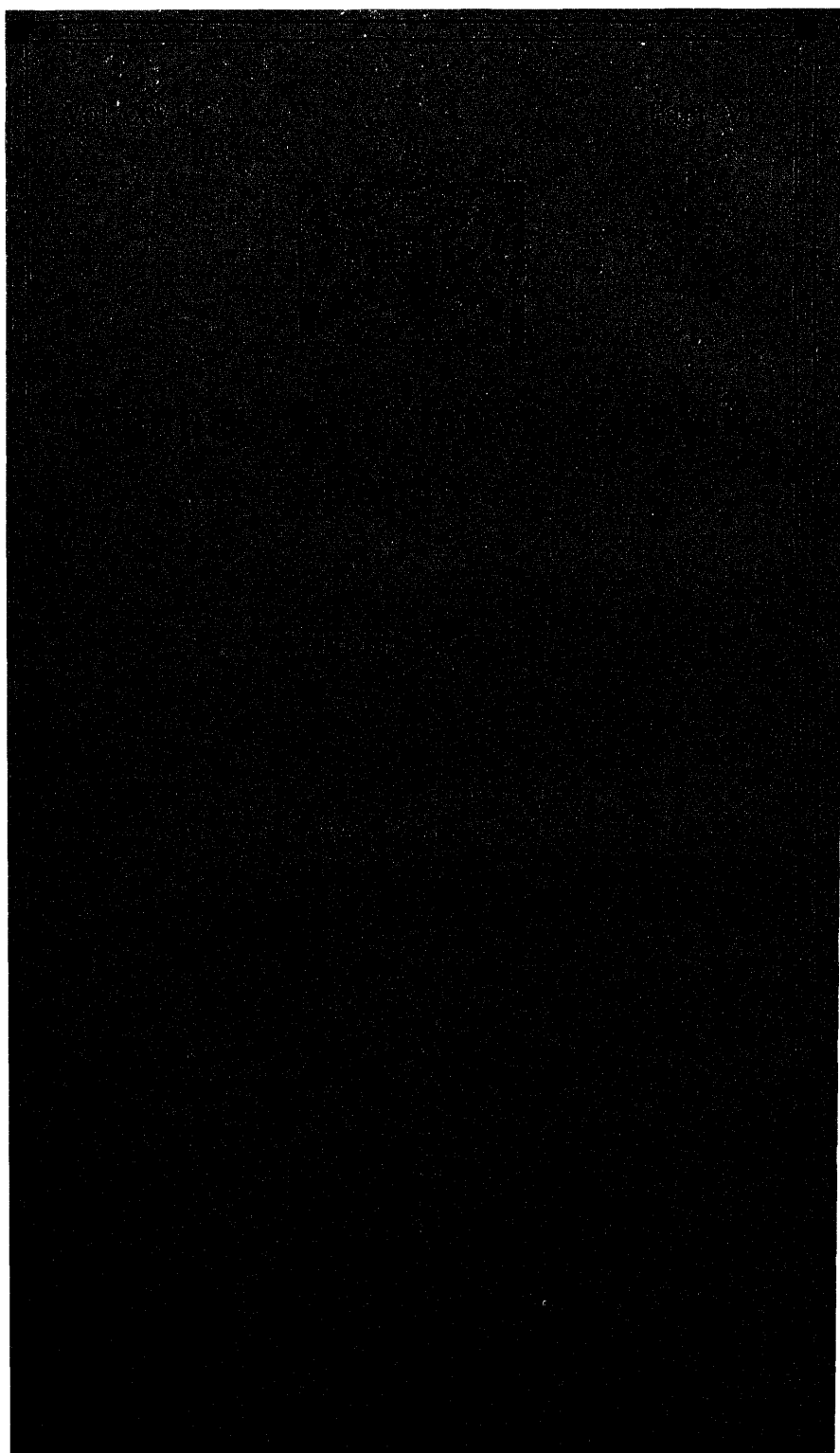
Tellers for the Noes Mr E E WOODS and Mr J ADDYMAN

The Honourable the PRESIDENT The House will now adjourn  
 to 2 p.m on Monday, the 1st March 1926











*Monday, the 1st March 1926.*

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The Council re-assembled at the Town Hall, Bombay, on Monday, the 1st March 1926, at 2 p m, the Honourable the President, Sir IBRAHIM RAHIMTOOLA, K C.S.I., C.I.E., presiding.

*Present*

ABDUL LATIF HAJI HAJRAT KHAN, Mr.  
ABERCROMBIE, Mr. J. R.  
ADDYMAN, Mr. J.  
ADWANI, Mr. D. B.  
AHMAD, MOULVI RAFIUDDIN  
ANGADI, Mr. S. N.  
BHOPATKAR, Mr. I. B.  
BHURGRI, Mr. J. M.  
BHUTTO, Khan Bahadur S. N.  
BOLE, Mr. S. K.  
BUNTER, Mr. J. P.  
DABHOLKAR, Sir VASANTRAO A.  
DADACHANJI, Dr. K. E.  
DALVI, Mr. B. K.  
DEHLAVI, the Honourable Mr. A. M. K.  
DESAI, Rao Saheb D. P.  
DEV, Mr. S. S.  
DIXIT, Dr. M. K.  
FERNANDEZ, Dr. COSMAS  
FRAMJI, Mr. K. S.  
GHOSAL, Mr. J.  
GHULAM HUSSAIN, the Honourable Sir  
GUNJAL, Mr. N. R.  
HAJI ABDULLAH HAROON  
HAJI KHAMISO GUL MAHOMED  
HAMID M. ABDUL ALI, Mr.  
HARRISON, Mr. C. S. C.  
HATCH, Mr. G. W.  
HEPPER, Sir LAWLESS  
HUDSON, Sir LESLIE  
JADHAV, the Honourable Mr. B. V.  
JATOI, Khan Saheb HAJI SERAI IMAMBAKSH  
JATOI, WADERO KADIRBAKSH  
JEHANGIR, the Honourable Mr. COWASJI  
JOG, Mr. V. N.  
JOSHI, Mr. P. G.  
KALBHOR, Mr. G. M.  
KAMBLI, Rao Bahadur S. T.  
KARKI, Mr. M. D.

KHUHHO, Mr. M S.  
 KOKANI, Mr. J.  
 KOTHARI, Mr. V. R.  
 LAGHARI, HAJI FAZUL MUHAMMAD KHAN  
 LALJI NARANJI, Mr.  
 LALLJEE, Mr. HOOSDINBHoy A.  
 LAWRENCE, the Honourable Sir HENRY  
 MANSURI, Khan Saheb A M.  
 MASTER, Mr. A.  
 MAVALANKAR, Mr. G K  
 MCKEE, Mr. W. G.  
 MEHTA, Dr M M.  
 MEHTA, the Honourable Sir CHINAI  
 MONTGOMERIE, Mr. A.  
 MOUNTFORD, Mr. L. J.  
 MUJUMDAR, Sardar G. N.  
 MUKADAM, Mr. W. S.  
 MUKHI JETHANAND PRITAMDAS  
 NARIELVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NAVLE, Mr N E.  
 NEKALJAY, Mr R S.  
 NOOR MAHOMED, Mr.  
 OWEN, Mr A. C.  
 PAHALAJANI, Mr. B. G  
 PARANJPYE, Dr R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATEL, Mr. G. I.  
 PATHAN, Mr. A. F. I. K  
 PATIL, Mr. D R.  
 PERCIVAL, Mr P. E.  
 PETCH, Mr. F. W.  
 PIR RASULBAKSH SHAH  
 POWAR, Mr. M B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 PUNJABHAI THAKERSI, Mr.  
 RAHIMTOOLA, Mr. HOOSENALLY M.  
 RIEU, the Honourable Mr. J. L.  
 SAHEBA, Mr. H. D.  
 SAPTARSHI, Mr. C. M.  
 SARDesai, Mr. S. A.  
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.  
 SHINDE, Mr. R. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SURVE, Mr. A. N.  
 SURVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.

THAKOR of Amod, the

THOMAS, Mr. G. A.

VELKAR, Di M B.

WEBB, Mr M

WILES, Mr. G.

WOODS, Mr. E E.

The Honourable the PRESIDENT: Order, order. Questions.

#### THE NORTHCOTE HIGH SCHOOL, SHOLAPUR

MR ABUL KALAM HAJI HAJRAT KHAN on behalf of Mr. N. A. ABDULPURKAR (Sholapur City): Will Government be pleased to state—

(a) How many students were refused admission in the Northcote High School at Sholapur each year from the year 1920 for want of accommodation?

(b) Whether admission is allowed to students in the order of the receipt of the applications for admission?

(c) If not, what is the practice followed and the principle underlying the practice?

(d) Whether Government intend to increase the accommodation in the said high school?

(e) If not, will they state the reasons?

(f) Whether all the rooms in the hostel of the said high school are occupied by students?

(g) If not, whether there is any objection to their being used as class rooms?

The Honourable Mr. B. V. JADHAV :

(a)	Year	Number of students refused admission for want of accommodation			
	1920	..	..	..	Nil.
	1921	..	..	..	Nil.
	1922	.	..	..	39
	1923	..	..	..	80
	1924	..	.	..	89
	1925	.	.	.	67

(b) and (c) During the years 1920 to 1924 admissions were made as far as possible in accordance with the order of receipt of applications, exceptions being made in favour of students of backward communities. In 1925, they were also made in accordance with the order of receipt of applications but subject to the following percentages laid down for all Government schools in the Presidency proper.—

45 per cent. Intermediate and Backward Hindus, preference being given to pupils of 'Backward Communities'.

15 per cent. Mahomedans.

40 per cent. Advanced classes.

(d) No.

(e) The policy of Government is to maintain one Government High School in each district as a model High School with limited

accommodation. They do not undertake to admit to Government Secondary schools all the boys who desire to join them.

(f) Out of the twenty rooms in the Hostel, sixteen are occupied by students, one is lent for the office of the Administrative Officer of the District Local Board, and the remaining three are vacant.

(g) The rooms are not suitable for class rooms, nor is it likely that they will remain permanently unoccupied, as applications for rooms in the Hostel are increasing in number.

#### TRAVELLING ALLOWANCE OF TOWN-PLANNING OFFICERS.

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) whether it is a fact that when officers in charge of town-planning schemes have to go from Poona to places like Karachi and Sukkur for their work, they do not go direct from one place to the other but return from each place to Poona before going to the next;

(b) if so, will they be pleased to give the reasons?

The Honourable Sir GHULAM HUSSAIN: (a) No.

(b) The question does not arise.

#### FREEHAND DRAWING IN SCHOOLS.

Rao Saheb D. P. DESAI (Kaira District): Will Government be pleased to state in how many high schools free-hand drawing has been re-introduced as a subject for examination?

The Honourable Mr. B. V. JADHAV: The information is being obtained.

#### SCHEME FOR THE REVIVAL OF THE DEPARTMENT OF INDUSTRIES UNDER AN INDIAN DIRECTOR.

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state, with reference to the statement made in the Council on the 20th October 1924 (Vol. XIII, page 569) by the honourable member Mr. Thomas that "the Honourable Minister (Education) was perhaps too modest to say himself that he has recently asked for a scheme to be prepared for the revival of the department (Industries) under an Indian Director"—

(a) when the Honourable Minister asked for such a scheme;

(b) whom he asked;

(c) whether the scheme has been prepared by now;

(d) if not, when is it likely to be ready?

The Honourable Mr. B. V. JADHAV: (a), (b) and (c) In accordance with the wishes of the Legislative Council a scheme for the reorganisation of the Industries Department was prepared early in 1925 in consultation with Mr. Bharucha who has been appointed Director of the reorganised Department of Industries.

(d) This question does not arise.

Mr. S. S. DEV : Will the Honourable Minister be pleased to place the scheme on the Council table ?

The Honourable Mr. B. V. JADHAV : The scheme about the establishment was placed before the Council and the money was sanctioned for it

#### CONVICT CHANDRASING RAMPULAN SINGH.

Dr. M. K. DIXIT (Surat District) : Will Government be pleased to state—

(a) whether a petition dated 6th July 1925 was made on behalf of convict Chandrasing Rampulan Singh now in the Yeravda Jail under three years' rigorous imprisonment ;

(b) whether it is a fact that pleader Mr. Nagindas Gulabdas, B.A., LL.B., requested permission for a personal interview to explain briefly the case on behalf of the convict, and that this request was refused ;

(c) the reasons why this request was refused ;

(d) whether the case was decided against the convict ;

(f) if so, whether it was decided without hearing the pleader ?

The Honourable Mr. J. L. RIEU : (a) (b), (d) and (f) Yes.

(c) The request was refused because all the facts necessary for consideration of the petition were already before Government and the petition had been drawn up by the pleader himself.

#### RETRENCHED REVENUE KARKUNS.

Mr. N. R. GUNJAL (Poona District) : (a) Whether they are aware that owing to retrenchment the services of certain karkuns in the Revenue Department in the Poona District were recently dispensed with ;

(b) whether any orders have been passed to employ such persons, when opportunity offers, in preference to new hands ?

The Honourable Sir CHUNILAL MEHTA : (a) The services of none of the karkuns on the establishment of the Collector of Poona have been recently dispensed with owing to retrenchment.

(b) The question does not arise.

Sardar G. N. MUJUMDAR : Is it not a fact that the services of one Mr. Deshpande, a karkun in the mamlatdar's office at Khed, district Poona, were dispensed with on account of retrenchment ?

The Honourable Sir CHUNILAL MEHTA : I am unable to answer the question without notice.

#### PROCEEDINGS OF LOCAL BOARDS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether they have accepted the proposal of the Decentralisation Committee that the proceedings of all local boards should be published in the vernacular for general information ;

(b) if so, whether they have issued any rule requiring such publication in at least one newspaper in the district ;

(c) if no rule has yet been issued whether they propose to take any action in the matter ?



The Honourable Sir GHULAM MUSSAIN. (a) Yes.

(b) No.

(c) No.

#### PHOTO-COPYING SYSTEM.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to give the following information—

(a) the number of documents copied by photo-copying system from the offices to which the photo-copying system is applied, except Bandra and Bombay, according to each office during the period from 1st September 1924 to 31st August 1925,

(b) the amount spent in sending back the documents as well as for the share of establishment charges and the cost of chemicals, etc.,

(c) the amount which would have been sufficient if these documents were copied by the old system of copying by hand,

(d) what would have been the amount of fees according to words and folio system, and what amount is actually collected now under the present system of counting fee according to pages of these documents?

The Honourable Mr. A. M. K. DEHLAVI: (a) The following statement shows the number of documents photographed from all the offices to which the photo-copying system has been extended, except Bombay and Bandra, from 1st September 1924 to 31st August 1925:—

Name of office	Number of documents photographed
Haveli I ..	3,755
Haveli III .. ..	1,010
Mawal .. .	971
Ambegaon .. .	855
Bhimthadi .. ..	1,506
Sholapur .. .	3,257
Junnar .. ..	542
Indapur .. ..	310
Dhond .. .	169
Karad .. ..	1,995
Walwa .. ..	1,817
Satara .. ..	500
Ahmednagar .. ..	1,476
Ahmedabad .. ..	3,917

Total .. 22,080

(b) The following statement shows the amount spent on postage, establishment, chemicals, etc.

Cost on postage.	Cost on photo establishment.	Cost on chemicals.	Cost of Stationery and Sundries.	Total
Rs.	Rs.	Rs.	Rs.	Rs.
515	4,893	7,207	436	13,051

(c) Approximately Rs. 11,600

(d) Approximate amount of manuscript copying fees

Approximate photo fees.

Rs.  
13,000

Rs.  
16 102

#### PETITIONS OF MR. S. L. MARATHE.

MR. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) Whether Mr. S. L. Marathe applied to the Governor on 27th February 1923 for redress.

(b) Whether the Honourable the Revenue Member received any applications personally and through the post in this connection dated 25th and 26th January 1925

(c) If so, whether these applications contained serious charges against a high officer of Government

(d) If so, how have all these applications been disposed of.

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) No applications of the dates mentioned have been received but there have been several applications of other dates.

(c) Yes.

(d) Government have seen no reason to reconsider the orders passed.

#### IRRIGATION WATER FOR INDAPUR TALUKA VILLAGES.

MR. N. R. GUNJAL (Poona District) : Will Government be pleased to state whether they have under consideration any scheme to provide irrigation water for certain villages of the Indapur taluka from the right or left bank canal of the Nira river ?

The Honourable Mr. COWASJI JEHangIR : Yes. The remodelling and extension of the Nira Left Bank Canal, which forms part of the Nira Valley Development project, recently sanctioned and undertaken, will, when completed, irrigate 16 additional villages in the Indapur taluka, *viz.*, Indapur, Vangali, Kaltan, Shirsodi, Parasthal, Takli, Azota, Pimpri Khurd, Sugaon, Shah, Kondalgaon, Taradgaon, Hingan-gaon, Bedsing, Bhatningaon and Bahhulgaon. As the whole of the taluka lies on the left bank of the Nira river, none of its villages can be irrigated from the Nira Right Bank Canal.

#### WATANDAR KULKARNIS.

MR. N. R. GUNJAL (Poona District) : Will Government be pleased to state in connection with the reply to my question No. 3 of the 5th list of questions and answers for the 2nd session of 1925, whether it is a fact that the Talati system is more costly in all the Districts in which Watandar Kulkarni existed ?

The Honourable Sir CHUNILAL MEHTA : Government are unable to deduce any such conclusion from an individual instance.

Mr. R. G. SOMAN : Is it not a fact that about four lakhs can be saved in the Central Division by the restoration of the watandar kulkarnis ?

The Honourable Sir CHUNILAL MEHTA : I will have to calculate that out ; and I should like to have notice.

#### FOREST CONTRACTS TO SUPPLY FIR-BOXES.

Mr. V. N. JOG (Dharwar District) : Will Government be pleased to state—

- (a) whether the Forest Department had contracted for supplying fir-boxes to Turner Morrison and Company ;
- (b) at what rate they were supplied ;
- (c) what was the actual cost of each fir-box to the department ;
- (d) what was the rate per cubic foot calculated for the timber ?

The Honourable Mr. A. M. K. DEHLAVI : (a) No such contract has been entered into.

(b), (c) and (d) Do not arise.

Mr. P. G. JOSHI : What are those fir-boxes ?

The Honourable Mr. A. M. K. DEHLAVI : Fir is a kind of wood.

#### KANNADA SPEAKING IN BOMBAY AND ITS SUBURBS.

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

- (a) the number of people speaking Kannada (Kanarese) within the limits of the Bombay Municipal Corporation and the Bombay suburban district respectively ;
- (b) the number of Kannada schools opened for the children of those people in those respective areas ;
- (c) if there are no schools opened as yet, whether there are any proposals either before them or the Corporation ?

The Honourable Mr. B. V. JADHAV : (a) The Kanarese-speaking population of Bombay City and of the Bombay Suburban District is 5,300 and 306, respectively.

(b) None, except one aided Night School in Bombay.

(c) No.

Mr. M. D. Karki asked a supplementary question which was inaudible. The reply to the question by the Honourable Mr. B. V. Jadhav was also inaudible.

#### IMPORT OF BETEL NUT, CARDAMOM AND PEPPER WITHIN THE LIMITS OF SIRSI MUNICIPALITY.

Mr. M. D. KARKI (Kanara District) : Will Government be pleased to state—

- (a) the quantity of betel nut, pepper and cardamom brought annually into the municipal limits of the Sirsi town during the last 2 years from outside villages of Sirsi, Siddapur and Yellapur talukas ;

(b) whether they are all consumed by the people of the Sirsi Municipal town or exported to other business centres outside the said town ;

(c) if partly consumed locally, what is the quantity of each variety so consumed ?

The Honourable Sir GHULAM HUSSAIN :

(a) Name of article	Quantity imported in	
	1923-24	1924-25
	Mds.	Mds.
Betelnut .. .	1,37,84	225,857
Pepper .	18,968	14,198
Cardamom .. .	1,560	1,652

(b) All the quantity imported is not consumed by the people of Sirsi Municipal town, and it is not possible to give figures of exports since the Municipality does not levy an export tax, and consequently no information regarding exports is available in the Municipal records.

(c) It is not possible to supply the information.

Mr. M. D. KARKI : Is the Honourable Minister aware that there is an out-agency of the Bombay Steam Navigation Company from whom the information can be had ?

The Honourable Sir GHULAM HUSSAIN : I have no information about that.

Mr. M. D. KARKI : I want to know whether it is the policy of the municipality to levy octroi on articles which are imported for export only.

The Honourable Sir GHULAM HUSSAIN : The reply is as printed.

Mr. M. D. KARKI : There is nothing in the reply about it. I want to know the policy of the municipality. Is it to levy octroi on articles which are imported for export only ?

The Honourable Sir GHULAM HUSSAIN : I would request the honourable member to read the reply printed.

#### SUBURBAN DEVELOPMENT ROADS.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state what has been the maintenance cost of the different roads built under the suburban schemes and where many plots are said to be unsaleable and consequently practically abandoned ?

The Honourable Mr. COWASJI JEHLANGIR : The estimated cost of maintaining the roads during the year 1925-26 in Suburban Scheme No. 3 (Trombay, North-West, Sector A) and Suburban Scheme No. 18 (Kiorol-North) where plots are not being taken up at present amounts to Rs. 12,000. The plots in these schemes are not, however, unsaleable.

#### COLABA RECLAMATION WORKS.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Will Government be pleased to state—

(a) Whether the results anticipated about getting filling in materials by the purchase of the Dredger which was done on the report of the

Consulting Engineers Messrs. Buchanan and Company were realised in full ?

(b) If the answer to the above question is in the negative, will they be pleased to state what will be the extra cost that will have to be incurred by the Development Department for filling in the land with other materials ?

(c) If any such extra cost is to be incurred, will Government be pleased to state whether they propose to hold the firm of Consulting Engineers on whose report and advice the Dredger was bought responsible ?

The Honourable Mr. COWASJI JEHangIR : (a) No.

(b) The Honourable Member is referred to the Special Advisory Committee's report dated the 21st January 1926

(c) The question is under consideration.

#### AHMEDABAD RAILWAY STATION.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) whether they are aware that there is not sufficient waiting room accommodation for first, second or third class passengers at the railway station, Ahmedabad ;

(b) whether they are aware that third class passengers at Ahmedabad railway station are not allowed to stay in the shed at night by the railway authorities and that great inconvenience and hardship is thereby caused to them ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes, as far as the waiting accommodation for 1st and 2nd class passengers is concerned which is to be increased by the construction of retiring rooms. The third class waiting shed is adequate for the ordinary number of passengers dealt with.

(b) Third class passengers for connecting trains are allowed to stay in the shed at night.

#### HAWKERS ON RAILWAY PLATFORM, AHMEDABAD.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) whether they are aware that at the Ahmedabad railway station the licensed hawkers are a source of nuisance on the platform since they almost block the passage in front of trains just a little before and on the arrival of the trains ;

(b) whether they propose to take any steps in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) and (b) The hawkers are for the convenience of the travelling public and the Railway authorities have received no complaints from the public. The Agent of the Bombay, Baroda and Central India Railway has however promised to look into the matter.

## PROMOTION TO SELECTION GRADE IN EDUCATIONAL SERVICE.

Khan Sahib A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) since how long they have stopped the promotion of graduates and undergraduates to the selection grade and, if so, why;

(b) how many posts in the selection grade for graduates and undergraduates are vacant and when they propose to fill them up from graduates and undergraduates?

The Honourable Mr. B. V. JADHAV: (a) and (b) Information has been called for.

Khan Sahib A. M. MANSURI: May I know from the honourable member what time he generally takes for getting such information?

The Honourable Mr. B. V. JADHAV: It all depends upon the nature of the case. The honourable member ought to realise that these *ad interim* replies are given for the convenience of the honourable members themselves.

## CLERICAL STAFF OF THE POLICE OFFICES.

Khan Sahib A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) the total number of clerks in the office of—

(i) the Inspector-General of Police,

(ii) the Deputy Inspector-General of Police, Northern Range,

(iii) the Deputy Inspector-General of Police, Central Range,

(iv) the Deputy Inspector-General of Police, Southern Range,

(b) the minimum and maximum pay of the clerks;

(c) the number of Muhammadans in each office, the salary drawn by each and the period of service of each?

The Honourable Mr. J. L. RIEU: (a) There is no Deputy Inspector-General of Police, Central Range.

The total number of permanent clerks on the combined clerical establishment under the control of the Inspector-General of Police is as under :—

Office of the Inspector-General of Police .. ..	31
Office of the Deputy Inspector-General of Police, Criminal Investigation Department (including Finger Print Bureau) .. ..	6
Office of the Deputy Inspector-General of Police, Northern Range .. ..	9
Office of the Deputy Inspector-General of Police, Southern Range .. ..	8
Office of the Principal, Police Training School, Nasik ..	2
Total ..	56

(b) The minimum pay is Rs. 30 and the maximum is Rs. 400.

(c) The total number of Muhammadans on the combined establishment is 6, out of which 5 are in the office of the Inspector-General of Police.

and 1 in the office of the Deputy Inspector-General of Police, Northern Range.

The details regarding salary and period of service are given below :—

	Salary	Period of service (up to 31st Dec. 1925.)		
		Rs.	Y.	m. d.
1 Office Superintendent, Office of the Inspector-General of Police (Acting) .. .. .	320	22	4	25
1 Head of the Branch in the office of the Inspector-General of Police .. .. .	155	18	5	12
1 Clerk in the office of the Deputy Inspector-General of Police, Northern Range .. .. .	60	6	6	22
1 Clerk in the office of the Inspector-General of Police .. .. .	45	5	7	19
1 Clerk do. do. (a B.A.) .. .. .	70	0	7	11
1 Clerk do. do. (Acting) .. .. .	40	0	3	9

#### SUPERINTENDENTS, DEPUTY SUPERINTENDENTS, INSPECTORS AND SUB-INSPECTORS OF POLICE IN THE BOMBAY PRESIDENCY.

Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) the number of Superintendents, Deputy Superintendents, Inspectors and Sub-Inspectors of Police in the Presidency proper ;

(b) the number of Muhammadans in each cadre ;

(c) the number of Superintendents, Deputy Superintendents and Inspectors in the year 1925 and the number of Muhammadans in each cadre ;

(d) why the number of Muhammadan Deputy Superintendents of Police is less in the year 1926 than in 1925 ?

The Honourable Mr. J. L. RIEU : (a), (b) and (c) As regards the information required in respect of Superintendents, Deputy Superintendents and Inspectors of Police, the Honourable Member is referred to the lists of Gazetted Police Officers and Inspectors of Police printed in the Bombay Civil Lists for 1925 and 1926 respectively. The present sanctioned strength of Sub-Inspectors of Police in the Presidency proper is 558 of whom 116 are Muhammadans.

(d) The difference of one is due to the retirement of a Muhammadan Deputy Superintendent of Police.

#### LICENSED PORTERS AT COLABA AND AHMEDABAD STATIONS.

Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

(a) whether they are aware that the licensed porters at the Colaba and Ahmedabad stations, especially at Colaba station, ask for exorbitant coolie hire and harass the passengers ; and

(b) if so, what steps they propose to take in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) Government are informed that some licensed coolies were charging fees in excess of those laid down and were immediately dismissed.

(b) A scale of fees has been printed and posted up for the information of all passengers who are requested not to pay the coolies more than the sanctioned tariff. Copies of the notice are now being printed in the vernacular and as large posters. Orders have also been issued to all District Traffic Superintendents instructing them to punish cases of excessive demand on the part of licensed coolies with dismissal and not to re-engage them.

#### MUSLIM GRADUATES IN THE EDUCATIONAL DEPARTMENT.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to give the number and percentage of Muslim graduates in the Imperial, provincial and subordinate services in the Educational Department of this presidency?

The Honourable Mr. B. V. JADHAV: Information has been called for.

#### FILM CENSORSHIP.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

- (a) the reasons for the establishment of a censorship for cinemas;
- (b) the number of members on the board of censors for films;
- (c) how many of them are Muhammadans and what are the qualifications of each of them?

The Honourable Mr. J. L. RIEU: (a) The Bombay Board of Film Censors has been constituted under section 7 of the Cinematograph Act, 1918, as amended, for examining and certifying films as suitable for public exhibition in the Bombay Presidency.

(b) and (c) The Board consists of six members, half of whom are officials. Mr. S. K. Barodawalla represents the Mahomedan Community on the Board.

Khan Saheb A. M. MANSURI: May I know what are the qualifications for becoming a film censor?

The Honourable Mr. J. L. RIEU: There are no particular qualifications.

MOULVI RAFIUDDIN AHMAD: May I ask whether there is any censor of these cinema films?

The Honourable Mr. J. L. RIEU: My reply to original question shows that the censoring is conducted by a board of censors.

MOULVI RAFIUDDIN AHMAD: What particular officers?

The Honourable Mr. J. L. RIEU: There is no individual officer. The censoring is done by a board.

#### STATISTICAL INFORMATION ABOUT JUVENILE OFFENDERS.

Mr. G. K. MAVALANKAR (Ahmedabad City): Will Government be pleased to supply the statistics of the last three years showing how many juvenile offenders have been sentenced in the Presidency to undergo imprisonment with grown up ordinary criminals?



The Honourable Mr. J. L. RIEU :

Year.	Males.	Females.	
1922	23	11	Out of these 10 Males and 1 Female were transferred to undergo sentence in the following institutions :— <i>Males.</i> 8 Yeravda Reformatory. 1 David Sassoon Reformatory School. 1 Dharwar Juvenile Jail. <i>Female.</i> 1 Children's Home, Matunga.
1923	41	8	Out of these 6 were transferred as under :— 3 Yeravda Reformatory. 1 David Sassoon Reformatory School. 2 Dharwar Juvenile Jail.
1924	45	10	Out of these 16 were transferred as shown below :— 8 Yeravda Reformatory School. 8 Willingdon Boys' Home, Bombay.

It should be noted that juvenile offenders are specially confined in yards set apart for the purpose and as far as possible are not permitted to mix with adult prisoners.

#### GODHRA TELANG HIGH SCHOOL.

Mr. W. S. MUKADAM (Panch Mahals District): Will Government be pleased—

(a) to put on the Council table the rules followed by the Head Master of the Godhra Telang High School in connection with the admission of students to the Institution ;

(b) to state whether it is a fact that when admitting students to the Telang High School, Godhra, first preference is given to outsider students, second preference is given to the sons, relatives and proteges of Government servants and the third preference is given to Mahomedan students and if there is any place left local Hindu boys are admitted ;

(c) whether they are aware that hundreds of boys are refused admission by the Head Master, Telang High School, Godhra, every year for want of accommodation in the school ;

(d) if it is a fact will Government be pleased to state whether they propose to take any action in the matter ?

The Honourable Mr. B. V. JADHAV : (a) and (b) In the current year admissions to this school were regulated by a test examination subject to the following percentages tentatively laid down by the Director of Public Instruction for the guidance of all Government secondary schools in the Presidency proper, and subject also to the orders of the Director to give mofussil applicants, if duly qualified, preference over local ones, in view of the Government schools being intended for the whole district :—

45 per cent. Intermediate and Backward Communities.

15 per cent. Mahomedans.

40 per cent. Advanced communities.

(c) The total number of boys who failed to secure admission during the last 3 years was 313. Of these, 118 were unfit for the standard for which they sought admission.

(d) A Government secondary school is intended primarily to serve the needs of the whole District and not merely those of the town in which it is situated. Also, Government cannot, for obvious reasons, make provision in their own schools for all the candidates who seek admission to a Government secondary school. If there is a demand for more provision for secondary education at any place, Government will be prepared to aid schools started by private enterprise to meet it, according to the funds at their disposal.

#### CIVIL SUIT AGAINST PRESIDENT OF THE SINNAR MUNICIPALITY.

Mr. N. E. NAVLE (Ahmednagar District): Will Government be pleased to state—

(a) whether there was a civil suit filed against the president of the Sinnar municipality during the last elections of that municipality ;

(b) if so, who was the person who filed it ; what was his caste and profession ;

(c) whether he had also applied for an injunction to restrain the president from holding the election on the day fixed ;

(d) what was the decision given by the sub-judge of Sinnar in the injunction application, as well as the suit ;

(e) what was the order of the Collector in the matter ;

(f) what was the opinion of the Government pleader in the matter ;

(g) whether it is a fact that both the abovenamed authorities have given in writing their opinion that the order of the sub-judge was *ultra vires* ;

(h) what was the name of the then president and his caste ?

The Honourable Sir GHULAM HUSSAIN. The information has been called for.

#### POLICE REPORTS ABOUT RAILWAY THEFTS AT AHMEDABAD.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased—

(a) to place on the Council table any minutes of dissent or other remarks made by Mr. Kothawala, the Superintendent of Railway Police, about the report made by the District Traffic Superintendent ; Superintendent, Watch and Ward ; and Superintendent, Railway Police, regarding the investigations of railway thefts at Ahmedabad and their personal visit to the Ahmedabad Fine Spinning and Weaving Company, Limited, during 1925 ;

(b) to place on the Council table copies of correspondence and reports made on the subject of railway thefts during 1925 ;

(c) to state if it is a fact that Mr. Guider, the Superintendent of the Watch and Ward, had failed to give detailed information to Government, in regard to the complaints against his department ?

The Honourable Mr. J. L. RIEU : (a) and (b) Government are unable to discern in what manner the public interest will be served by laying these papers on the Council table.

(c) It is not a fact.

Mr. G. I. PATEL : Is it not a fact that the reports of (1) Mr. Guider, (2) the District Traffic Superintendent and (3) Superintendent, Railway Police, were presented to the Council in the July session, and that there was a minute of dissent which is being suppressed when the reply to my question is given ?

(No answer).

Mr. G. I. PATEL : Is it not a fact that Mr. Guider being a European officer and Mr. Kothawala an Indian officer, Government is trying to protect Mr. Guider against Mr. Kothawala ?

The Honourable Mr. J. L. RIEU : I repudiate any such suggestion.

Mr. G. I. PATEL : Why are not the papers placed on the Council table now, although papers relating to the same question which favoured Government were placed on the Council table during the last July session ?

The Honourable Mr. J. L. RIEU : The honourable member has already been informed that Government do not consider that any public interest will be served by laying these papers on the Council table.

Mr. G. I. PATEL : What public interest was served at that time (July session) when papers containing long reports were placed on the table ? Why is it that very important papers mentioned in that reply are withheld now ?

Mr. W. S. MUKADAM : May I know whether the papers in this report are confidential and those papers were not confidential ?

(No reply).

Mr. G. I. PATEL : Do Government intend to place these papers now on the Council table ?

The Honourable Mr. J. L. RIEU : No.

Mr. W. S. MUKADAM : Will they think it advisable to place these papers on the Council table when the time comes ?

(No reply).

Mr. W. S. MUKADAM : May I know whether Government think that by placing these papers on the Council table something else will come out ?

The Honourable the PRESIDENT : The honourable member cannot ask questions like that. His question should be in the nature of a demand for information.

Mr. W. S. MUKADAM : May I know whether Government think that by placing these papers on the Council table something else will come out ?

Rao Saheb D. P. DESAI : Is there any skeleton in the cupboard ?  
(No reply).

Mr. H. B. SHIVDASANI : Was there a minute of dissent to that report ?

The Honourable Mr. J. L. RIEU : I have already replied to that.

Mr. H. B. SHIVDASANI : Government only state that they are unable to discern.....

The Honourable Mr. J. L. RIEU : I have already answered that question in replying to a supplementary question.

#### BOMBAY COTTON CESS.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased (a) to give in a tabular form the amount of cotton cess on bales imported into the city of Bombay and also the amount of the cess obtained from the mills and factories of this presidency on cotton bales consumed by them during the years 1921 and January to September 1925 with the details of the disbursements of the respective amounts ;

(b) to state the amount of cess realized from mills at Ahmedabad, Broach, Viramgam and Surat for the same period ;

(c) to state if any sums obtained from the cities mentioned in (b) have been allocated to or utilized in the places from where they were collected ?

The Honourable Sir GHULAM HUSSAIN : (a) The total net amount realized from the Cotton Import Duty was Rs. 32,87,109-8-5 for the calendar year 1924 and Rs. 31,67,183-1-9 during the period January to September 1925. Information as regards the details of disbursements of these amounts has already been given.

(b) and (c) These parts have already been answered.

#### HARROWING MURDER AT VIRAMGAM.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased to state—

(i) (a) whether on or about the 31st May 1925 the daughter of the treasury officer (Aval Karkun) at Viramgam was burnt alive by pouring kerosine on her body by a ruffian disguised in a black mask and robe, at noon time, when she was alone in the house ;

(b) whether the offender has been traced and brought to justice ;

(c) whether a woman approached the treasury officer some time prior to the committal of this murder and pressed him to give judgment in a case in which she was vitally concerned, in her favour ;

(d) whether she gave an open threat to the deceased lady prior to her murder to the effect that her father having failed to give judgment in her favour she will wreak vengeance on her ;

(e) whether in the same house several other murders have been committed in the past ;

(f) whether the woman alleged to have threatened the deceased stays in a house in the rear of the dwelling place of the deceased ;

(g) whether immediately after the murder the police traced a ladder in the courtyard of the woman who threatened the deceased and whether the ladder made access to the house of the deceased easy ?

(ii) (a) to state whether the Criminal Investigation Department staff have been deputed to trace the offence in which the daughter of the treasury officer at Viramgam was burnt alive. If so, with what result ?

(b) to place on the Council table papers of inquiries hitherto made in the murder of the treasury officer's daughter at Viramgam ;

(c) to state what steps they intend to take to prevent of such cases in future ;

(d) to place copy of the dying statement of the deceased on the Council table ;

(e) to give names of the police officers who have so far made inquiries and submitted their reports on the matter ?

The Honourable Mr. J. L. RIEU : (i) (a) On 31st May 1921 at 10 a.m. Bai Shanta, wife of Mr. Naranlal Nagardas, Local Inspector and daughter of Mr. Chhaganlal Jethalal Paekhi working at the time as Mahalkari, Sanand, and who is now at Aval Karkun, Viramgam, committed suicide by burning herself by pouring kerosine oil on her body, while she was alone in the house.

(b) Death was found to have been self-inflicted.

(c) The Aval Karkun denies that any woman had approached him prior to the death of his daughter and pressed him to give her his favour in a case in which she was concerned : he also denies that at the time of his daughter's death any such case was pending in Court or in the Court of any other magistrate of Viramgam.

(d) Inquiries have failed to bring to light any evidence that the case was so threatened.

(e) No.

(f) and (g) If the Honourable Member will state the name of the person who is alleged to have threatened the deceased, inquiries can be made.

(ii) (a) No Criminal Investigation Department staff was sent to trace the offence, as inquiries showed clearly that the deceased committed suicide.

(b) Government is unable to discern what public purpose served by laying the papers of enquiries on the Council table.

(c) Does not arise.

(d) In her dying statement recorded by the 3rd Class Magistrate at Viramgam, the deceased girl has stated that she was burnt to death by an evil spirit.

(e) Inquiries in the matter were made and reports were submitted by the Circle Police Inspector, Nadirshah D. Shroff, and a Sub-Inspector Abdul Habib.

Mr. G. I. PATEL : With regard to (a) it is stated that the deceased committed suicide by burning herself after pouring kerosine oil on her body while she was alone in the house. May I know how the inquiries were gathered by Government when her dying statement states that somebody like an evil spirit appeared before her, poured kerosine oil over her and burnt her ?

The Honourable Mr. J. L. RIEU : The police enquiry shows that it was a case of suicide.

Mr. G. I. PATEL : In question 3 (d) I have asked for a copy of the dying statement to be placed on the Council table. The report is that in her dying statement recorded by the 3rd Class Magistrate at Viramgam, the deceased girl has stated that she was burnt to death by an evil spirit.

spirit. May I know why a copy of the dying statement as demanded by me has not been placed on the Council table ?

The Honourable Mr. J. L. RIEU : There is no objection to placing the dying statement of the deceased on the Council table if it is desired.

Mr. W. S. MUKADAM : May I know why this dying statement of the deceased has not now been placed on the Council table ?

The Honourable Mr. J. L. RIEU : If the papers are available immediately they will be laid on the table.

Mr. W. S. MUKADAM : If the papers are not available immediately, will the Government place it on the Council table when they are available ?

The Honourable Mr. J. L. RIEU : Certainly.

Mr. G. I. PATEL : The reply to my question 4 (b) is that Government is unable to discern what public purpose will be served by laying the papers of inquiries on the Council table. Am I to understand that now as the honourable member is going to place the dying statement of the deceased on the Council table, it is done in the interest of public safety and public property ?

The Honourable Mr. J. L. RIEU : The matter is not one of any public importance, but Government have no objection to placing the dying statement of the deceased on the Council table if it is desired.

Mr. W. S. MUKADAM : May I know if questions which are not of public importance are answered ?

The Honourable the PRESIDENT : The honourable member does not distinguish this matter correctly.

Mr. G. I. PATEL : Is it a fact that a ladder was found in the gallery from which somebody was likely to have appeared before the girl and murdered her ? Has this been disclosed in the inquiry ?

The Honourable Mr. J. L. RIEU : The honourable member's questions are based on a complete misapprehension of the facts. The matter is not one of public importance, and Government do not desire to take any further notice in this matter. If, however, honourable members desire to see the statement referred to, it will be shown to them.

Mr. G. I. PATEL : Is it not a fact that somebody actually appeared before her, and is it not a fact that Government do not admit in their enquiry that somebody approached her ?

The Honourable Mr. J. L. RIEU : It is not a fact as I have already pointed out.

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#### IMPORT OF FOREIGN MEDICINES.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state the total import of foreign medicines into the Bombay presidency ?

The Honourable Mr. B. V. JADHAV : Enquiries are being made.

MR. G. V. BOVALEKAR, SECTION-WRITER, SUB-JUDGE'S COURT,  
VENGURLA.

MR. A. N. SURVE (Bombay City, North): Will Government be pleased to state—

(a) the principles on which permanent section-writers attached to law courts are recruited to the regular permanent clerical service;

(b) for how many years Mr. G. V. Bovalekar is working in the Vengurla (Ratnagiri District) Sub-Judge's Court as a section-writer;

(c) the class—advanced or backward—to which Mr. Bovalekar belongs?

The Honourable Mr. J. L. RIEU: (a) No general principles have been laid down, and the District Judges have full discretion in the matter. Section-writers are recruited for clerks' posts only when vacancies occur if they know English and are otherwise qualified, preference being given to backward classes.

(b) About 19 years.

(c) Backward.

MR. A. N. SURVE: May I know if any section-writer or writers of the advanced communities have superseded Mr. Bovalekar, that is, whether anybody entering service after Bovalekar has been taken into permanent service?

The Honourable Mr. J. L. RIEU: I am unable to say.

MR. A. N. SURVE: May I know why a knowledge of English is required when language of the Court is Marathi?

The Honourable Mr. J. L. RIEU: Many English documents have to be dealt with.

#### COST OF BOUNDARY MARKS IN KAVITHA, DHOLKA TALUKA.

MR. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether the revenue authorities have recovered the cost of boundary marks at penal rates from the people of the village of Kavitha of the Dholka taluka after the issue of the Government order abolishing those rates;

(b) if so, what steps they have taken to refund the excess amount recovered from the people?

The Honourable Sir CHUNILAL MEHTA: (a) Some arrears only have been recovered at penal rates from the agriculturists of Kavitha, district Ahmedabad, after the passing of the orders.

(b) Does not arise.

#### POTTERS AT BARWALA.

MR. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether the potters of Barwala, a town in the Dhandhuka taluka of the Ahmedabad district, have been prevented by the officers

of the Limbdi Durbar from obtaining earth, necessary for carrying on their trade ;

(b) whether Government are aware that the trade of these potters has been completely ruined and some of them have left the town ;

(c) whether complaints have been made to the Government authorities by the potters of Barwala : If so, what steps have Government taken in the matter ?

The Honourable Mr. J. L. RIEU : (a) The lands in Barwala belong to the Thakor Saheb of Limbdi, who is the Talukdar of the village. Enquiries show that the potters used to carry water for the Talukdar in return for certain remuneration but that they objected to doing this duty, as they were asked to do more than the customary amount of work. On account of this dispute the Talukdar's agent has prohibited the digging of earth.

(b) Enquiries show that the potters' trade is not completely ruined, though they may have suffered some damage.

(c) Yes. The Collector of Ahmedabad has been trying to effect a settlement by negotiation.

#### JUDICIAL JURISDICTION OVER BARWALA CHOWISHI.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether it is a fact that great apprehension prevails among the villagers of Barwala Chowishi of the Dhandhuka taluka on account of the attempts of the Limbdi Darbar to secure the transfer of the civil and criminal Jurisdiction over those villages from the British Government to the Limbdi State ;

(b) whether Government have taken any steps to allay the apprehensions of those people ;

(c) whether Government propose to consult the wishes of the people of those villages by a general plebiscite before effecting transfer of Jurisdiction ?

The Honourable Mr. J. L. RIEU : Attention is invited to the reply given to the question put by the Honourable Member at the first session of the Bombay Legislative Council held in February 1925. It is printed on page 1047 of Volume XIV of the Council Debates for the 13th March 1925. There has been no change in the situation since then. Government have no information to show that apprehension is felt by the people of Barwala. In these circumstances no action is required.

Mr. J. C. SWAMINARAYAN : May I know on what basis Government say that they have no information to show that apprehension is felt by the people of Barwala Chowishi ?

The Honourable Mr. J. L. RIEU : If there had been any apprehension Government would have been fully aware.

Mr. J. C. SWAMINARAYAN : How are Government to be made to know that apprehensions are actually being felt by the villagers.

The Honourable Mr. J. L. RIEU : As soon as the villagers entertain apprehensions they will certainly communicate the fact either to Government or the officers of Government.



NEW HIGH LEVEL BRIDGE PROPOSED IN ELLIS BRIDGE  
TOWN PLANNING SCHEME.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether they are aware that there are no bungalows near the site of the new high level bridge near Usmanpur proposed in the Ellis Bridge town planning scheme;

(b) whether they are aware that the existing bungalows are nearer to Ellis Bridge than to the site of the new bridge;

(c) whether their attention has been drawn to the fact that the new bridge proposed will be less useful than the existing bridge?

The Honourable Sir GHULAM HUSAIN: (a) There are at present no bungalows on the Usmanpur bank. This is chiefly due to the want of direct access to the City. The Bridge will provide that access and it is expected that in course of time building will develop on the Usmanpur side.

The proposed bridge is not intended solely for residents near Usmanpur but will be of use to persons coming from the more distant villages.

(b) Yes.

(c) The existing Ellis Bridge will always be the principal bridge as it leads to the centre of the City. But in order to develop a larger area one or two more bridges are necessary. Government are aware that any new bridge will be less useful than the present Ellis Bridge but there is no intention of closing the Ellis Bridge and it is necessary to relieve the traffic on that bridge which is already very heavy. The Ellis Bridge is limited to vehicles weighing not more than 2 tons unladen.

GUN LICENSE TO MALIK AKBAR INAM.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether they have given a gun license to Malik Akbar Inam of Mandas Kasba in the district of Kaira;

(b) whether the licensee has been using his gun for killing peacocks and other animals in the adjacent villages and has thereby offended the feelings of the Hindu community;

(c) whether Government have received complaints that the feelings of the Hindu community have been outraged by his actions;

(d) whether he is permitted by the terms of his license to use his gun for such purposes?

The Honourable Mr. J. L. RIEU: (a) He has been granted a gun license in form XVI appended to the Indian Arms Rules, 1924.

(b) The District Magistrate has no information on the subject.

(c) No.

(d) The conditions attached to the license do not preclude him from killing birds and other animals except in close seasons.

## WATER SCARCITY IN THE KHARI CUT CANAL.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether, in case of scarcity of water, the irrigation authorities are required to inform beforehand those cultivators to whom they will supply water and those to whom they will not so as to enable them to save some portion of their crops by other means at their disposal such as wells, etc. ;

(b) whether the Irrigation Department had insufficient water in the Khari cut canal this year ;

(c) whether they promised water to some cultivators which they were afterwards unable to supply with the result that the cultivators' crops were destroyed ?

The Honourable Mr. COWASJI JEHangIR : (a) No. The cultivators in the case of scarcity of water are, however, as a rule informed of the limited supply available and warned that only those who would find a canal watering sufficient for their crop or who could tide over the difficulty by obtaining the further supply from wells, etc., should take it.

(b) Yes.

(c) No.

## KADWA KUNBIS IN THE PROVINCIAL SERVICE OF THE BOMBAY PRESIDENCY.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state the number and names of officers in the Provincial Services of the Bombay Presidency belonging to the Kadwa Kunbi community of Gujarat ?

The Honourable Sir HENRY LAWRENCE : Government do not consider that any useful purpose would be served by making this inquiry.

Rao Bahadur S. T. KAMBLI : May I know the community to which the honourable member who has asked the question belongs ?

The Honourable Sir HENRY LAWRENCE : I must have notice of that ; I must make full enquiries.

## PROBATIONARY MAMLATDARS.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) the names of the persons who have been appointed probationer Mamlatdars during the current year ;

(b) whether it is true that all the selected probationers are Mahomedans ;

(c) if the answer to (b) is in the affirmative, will Government be pleased to state the reasons why the claims of the Hindu community have been passed over during the current year ?

The Honourable Sir CHUNILAL MEHTA :

(a) *Northern Division*—

(1) Mr. Ahmedmia Gulahmia Talati, B.A.

(2) Mr. Solomon Benjamin, B.A., LL.B.

*Central Division*—

(1) Mr. G. P. Andrews, B.A., LL.B.

(2) Mr. V. R. Sonavane, B.A.

*Southern Division*—

(1) Mr. Veerappa Kuvetteppa Kulkarni, B.A.

(2) Mr. Malsarjeppa Appayappa Gadag, B.A.

(b) No.

(c) The question does not arise.

MOULVI RAFIUDDIN AHMAD : May I ask the honourable member Mr. Swaminarayan, as regards (b).....

The Honourable the PRESIDENT : What is the honourable member dealing with ?

MOULVI RAFIUDDIN AHMAD : I am dealing with part (b) of the question, whether it is true that all the selected probationers are Mahomedans. May I know from the honourable member, Mr. Swaminarayan from what reliable authority he got this information ?

The Honourable the PRESIDENT : The honourable member cannot ask a supplementary question of a non-official member. He can give notice of the question if he wants to ask it.

MOULVI RAFIUDDIN AHMAD : He can answer without notice.

The Honourable the PRESIDENT : Under what rules is the honourable member going to ask a supplementary question of a non-official member ?

MOULVI RAFIUDDIN AHMAD : It is not a supplementary question.

The Honourable the PRESIDENT : At this stage only a supplementary question arising out of the reply given to the main question can be asked.

MOULVI RAFIUDDIN AHMAD : In that case I can ask a supplementary question of Government. May I know from Government from where the honourable member got this information ? Did he get it from Government ? Did Government supply him with the information ?

The Honourable Sir CHUNILAL MEHTA : Certainly not. Government have not supplied the honourable member (Mr. Swaminarayan) with any information on which to base this question.

#### HOUSE-RENT ALLOWANCE TO REVENUE OFFICERS.

Mr. S. N. ANGADI (Belgaum District) : Will Government be pleased to state—

(a) whether they are aware that the house-rent in big towns like Belgaum, Hubli, Gadag and Dharwar has risen abnormally and that in consequence it has become very difficult for the subordinate staff of the Revenue and other Departments to get decent houses ;

(b) if so, whether they propose to take any action in the matter ?

The Honourable Sir HENRY LAWRENCE : (a) Government have made an investigation into the house-rent paid by subordinates in the Revenue and other Departments throughout the Presidency.

(b) Government do not propose to take any action as regards the places mentioned in the first part of the question.

Mr. S. N. ANGADI : May I know why Government do not propose to take any action as regards the places mentioned ?

The Honourable Sir HENRY LAWRENCE : Because their enquiries show that they are not necessary there.

Mr. S. K. BOLE : Will you please permit me, Sir, to put my questions ?

The Honourable the PRESIDENT : This is the second time that the honourable member has been absent when called upon to put his questions. I will, however, allow it now.

I hope honourable members will make it a point to be present when their names are called for asking questions.

#### THE DECCAN CONVICT GANG, VISAPUR.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) whether they propose to abolish the Deccan Convict Gang, Visapur ;

(b) do they intend to appoint a B. M. S. Officer as Superintendent of this gang when the strength of this gang is reduced ?

The Honourable Mr. J. L. RIEU : (a) It is proposed to reduce and ultimately abolish the Deccan Convict Gang.

(b) The question will be considered when it arises.

#### GARDEN VEGETABLES FOR B. M. S. OFFICERS ON JAIL DUTY.

Mr. S. K. BOLE : Will Government be pleased to state—

(a) whether the Medical Officer of a jail has to pay for garden vegetables ;

(b) whether the other superior staff of the jail also pay for such vegetables ?

The Honourable Mr. J. L. RIEU : (a) Yes.

(b) Yes, with the exception of Jailors.

Rao Saheb D. P. DESAI : At what rate ? Is it at the bazaar rate ?

The Honourable Mr. J. L. RIEU : I ask for notice of that question.

*Further consideration of the second reading of Bill No. 1 of 1926  
(A Bill to amend the Indian Stamp (Bombay Amendment) Act,  
1922) resumed.*

Mr. G. B. PRADHAN (Thana and Bombay Suburban Districts) : Sir, I rise to move an amendment with regard to the second reading of this bill, and I do not think that the Honourable the Finance Member should have any objection to it.

The Honourable the PRESIDENT: Will the honourable please move his amendment?

Mr. G. B. PRADHAN: My amendment is

"That the bill be referred to a select committee consisting of Mr. L. Moulvi, Rafuddin Ahmad, Mr. L. B. Bhopalkar, the Remembrancer of the Honourable the Finance Member, and myself, the report to be submitted within twelve days."

Sir, Government seem to be very anxious that this bill should pass in this session, and that is the reason why I have stated in my amendment that the report of the select committee should be submitted within twelve days.

Now, according to our experience, we find that there are several documents which can be considered only in a select committee, particularly promissory notes. With regard to promissory notes, under the Stamp Act, they have to be taken on a one-anna stamp up to a certain amount and on two-anna stamp or four-anna stamp if the amount exceeds that. Many people, in ignorance of this provision, have rendered promissory notes on one-anna stamp, with the result that the notes are not valid for all their money. Another thing is that only a one-anna postage stamp is marked as postage and revenue and those of higher denominations are considered as postage stamps. Therefore, in cases where a one-anna stamp is required on a promissory note, it is necessary to affix one-anna stamps and not one four-anna stamp, otherwise, the note becomes null and void; such documents cannot even be admitted in evidence in the court by paying a penalty and many people lose their money.

There are also certain suggestions made by the Taxation Committee as regards reducing the stamp duty on Bills of exchange, mortgages, etc. All these questions can be considered in a select committee, and I do not think that even the Honourable the Finance Member can object to the bill being referred to a select committee. I have provided that the report is to be submitted within twelve days.

I therefore commend the amendment for the acceptance of the House.  
Question proposed.

Mr. B. G. PAHALAJANI (Western Sind): Sir, I support the amendment mainly on this ground: In 1922-23, it was expected that the stamp duty would give an increased yield of Rs. 40 lakhs to the Government. At present the amount required, according to the Honourable the Finance Member's own statement, is Rs. 20 lakhs, or half of that. If the statements made by the Honourable the Finance Member for 1922-23 and now are correct, it will not be necessary to preserve the present increase in rate now, and it will be necessary to effect such changes in the rates as will bring into the revenue just the same amount. This reduction cannot be done in the Council; it requires the consideration of the reduction of the amount of enhancement of the stamp duty done in the select committee. It is therefore advisable that the bill should go to a select committee, returnable within 12 days, so that the Council may be in a position to decide the matter.

[Mr. B. G. Pahala ani]

I should also like to bring this fact to the notice of the House that, so far as my experience of five years of this Council is concerned, at no time has any contentious bill, specially a finance bill, been passed without reference to a select committee. At no time have Government made a motion in regard to a contentious bill that it should be read a second time directly after the motion for first reading was passed. In the case of contested bills, however small, where even a few words in any Act had to be changed, Government have referred them to select committees. There is no reason why Government in the case of this particular bill should wish to hurry matters, especially as the select committee's report is made returnable within the period of this session. I submit that the House should insist upon a select committee being appointed, and this amendment of the honourable member from Thana be accepted.

Mr. C. M. SAPTARSHI (Ahmednagar District) : Sir, I support the amendment. When my honourable friend the honourable member the leader of the Swara] party had proposed his amendment last Friday, it was stated that that was an amendment intended merely to postpone this bill. The present amendment, Sir, has been proposed in a modified form and this amendment proposes only that the bill should be referred to a select committee to report within 12 days. Then again, the questions which my honourable friend wants to be referred to the select committee for their deliberation are so important that it is not worth while for this House to accelerate the passing of the bill. No special reasons whatever are shown by the Honourable the Finance Member why the bill should be passed in such a hurry. All these questions will be gone into by the select committee if the bill is referred to it. My honourable friend has mentioned the names of prominent lawyers of whom the select committee is proposed to be composed, and I therefore support the amendment of my honourable friend wholeheartedly, and I hope Government will not oppose this reasonable amendment.

Mr. P. E. PERCIVAL : Mr. President, there is only one point to which I should like to refer. I understand that the honourable member from Thana mentioned only one particular item which requires change, namely, promissory notes. He said that these promissory notes are causing considerable trouble to the public. Well, Sir, as regards promissory notes, no change is effected by the bill that is before this House. When the schedule was amended in 1923, no amendment was made with regard to promissory notes. So I submit that the argument of the honourable member from Thana, who has proposed this amendment, carries no weight, because a general amendment of the Act of 1899 is not before this House at the present moment.

The other point that I want to make is that the whole schedule was carefully considered by a select committee in 1922, and it is not necessary for the whole subject to be reopened at this stage.

Mr. J. ADDYMAN (Bombay City) : Sir, I oppose this amendment. The Act has now been in existence for the last four years and the bill before us seeks to continue this taxation only, and I can see no reason

[Mr. J. A. Idyman]

whatsoever for referring this bill to the select committee. I strongly oppose this amendment.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : to support this amendment. It is very necessary that the bill be considered by the select committee. We see, Sir, that the Central Government have found surpluses and have reduced while our Government are not trying to do anything at present, continuing their proposals for taxation. I consider, Sir, that every opportunity for reconsidering the question again in committee and bringing it before this House at a later stage.

Mr. G. B. PRADHAN (Thana and Bombay Suburban) : Mr. President, I have not been able to understand this opposition to my modest request. I pointed out to the difficulties which came in the way as regards promissory note report of the Taxation Enquiry Committee suggestions as regards the reduction of stamp duty, and I cannot understand how the Government would lose by referring this bill to the select committee.

I have merely proposed that the bill should be referred to the select committee, who has to report within 12 days so that the bill can come into an Act in this very session, about which the Government are anxious.

I have already stated that sometimes some promissory notes are null and void because some people still do not know that the notes are required to be stamped in a particular way. I know where people have lost their money because promissory notes were not sufficiently stamped. Now if the bill is referred to the select committee, cannot we add a clause for a penalty so that the promissory notes are admissible on the payment of that penalty? All these points should be considered in a select committee and I therefore cannot, for want of understanding the unreasonable opposition which has been brought to this my modest request, and I therefore earnestly request the House to pass this amendment.

The Honourable Sir HENRY LAWRENCE : Mr. President, I am very much obliged to the honourable member, who has just spoken, to consider that there is any matter for indignation in this. The honourable member has asked that something should be done by the select committee which will not be within the power of the select committee. That is the advice given by our legal adviser. I do not think that the honourable member has understood the situation. He has asked that the select committee should deal with the promissory notes. The principal point which aroused the indignation, was the question of promissory notes. They were dealt with without an amendment of the original Act. To bring this into this particular bill that is before the House, is a suggestion of the honourable member to think again.

As regards the argument of my honourable friend the Deputy Speaker, he tells us that the House is being pushed into this legislative hasty manner : but, Sir, it is the usual thing in financial

[Sir Henry Lawrence]

ask the House to pass the matter as rapidly as possible. It is that is the practice in all Houses in this country and in England in regard to financial legislation even when that financial legislation deals with new materials, I must point out that here we are asking the House to do something new and we are merely asking the House to continue the Act as it stands to-day.

The honourable member also raised the question of the report of the Taxation Enquiry Committee. That report, Sir, is a very ample and luminous document indeed. It devotes several pages with many detailed recommendations to a revision of the Stamp Act. It would be quite impossible for a select committee to consider the recommendations of the Taxation Enquiry Committee during the sitting of this session.

I claim, Sir, that such a reference to the select committee would not do justice to the report of my honourable friend sitting opposite there. Those recommendations require very full and careful consideration and that consideration will be given to that report in the course of the year. As a result of that detailed consideration it is certain that large and important modifications of the Stamp Act will be made applicable to every province in India. I submit that it would be most inappropriate to ask a select committee to sit now and to take action on those recommendations of the Taxation Enquiry Committee in advance of the prolonged and careful deliberations which are essentially necessary. We have now the existing schedule of rates which by common consent is working satisfactorily and I submit, Sir, we cannot do better than prolong the life of that schedule until we have had full time to make a complete and careful investigation. I submit, Sir, that the arguments in favour of this reference to a select committee are entirely invalid and unsound.

Question put. House divided. Ayes 36; Noes 49. Motion lost.

*Division No. 3.*

**Ayes.**

ADWANI, Mr. D. B.  
BHOPATKAR, Mr. L. B.  
DESAI, Rao Saheb D. P.  
DEV, Mr. S. S.  
DIXIT, Dr. M. K.  
GUNJAL, Mr. N. R.  
HAJI ABDULLAH HAROON  
JOG, Mr. V. N.  
JOSHI, Mr. P. G.  
KARKI, Mr. M. D.  
KOTHEARI, Mr. V. R.  
LALJI NARANJJI, Mr.  
MAVALANKAR, Mr. G. K.  
MEHTA, Dr. M. M.  
MUKADAM, Mr. W. S.  
NABIEVALA, Mr. H. H.  
NARIMAN, Mr. K. F.  
PAHALAJANI, Mr. B. G.

PARANJPEYE, Dr. R. P.  
PATEL, Mr. D. N.  
PATEL, Mr. G. I.  
PATIL, Mr. D. R.  
PRADHAN, Mr. G. B.  
PRADHAN, Mr. R. G.  
PUNJABHAI THAKERSI, Mr.  
RAHIMTOOLA, Mr. HOOSENALLY M.  
SAHEBA, Mr. H. D.  
SAPTAKSHI, Mr. C. M.  
SARDesai, Mr. S. A.  
SHIVDASANI, Mr. H. B.  
SOMAN, Mr. R. C.  
SURVE, Mr. A. N.  
SURVE, Mr. V. A.  
SWAMINARAYAN, Mr. J. C.  
VILKAR, Dr. M. B.  
WADIA, Mr. C. N.

*Tellers for the Ayes.* Mr. G. B. PRADHAN and Mr. C. M. SAPTAKSHI.



## Noes.

ABDUL LATIF HAJI HAJRAT KHAN, Mr.	KALBHOR, Mr. G. M.
ABERCROMBIE, Mr. J. R.	KAMBLI, Rao Bahadur
ADDYMAN, Mr. J.	KHUHRO, Mr. M. S.
AHMAD, MOULVI RAFUDDIN	KOKANI, Mr. G. J.
ANGADI, Mr. S. N.	LAWRENCE, the Honourable
BHUTTO, Khan Bahadur S. N.	MANSURI, Khan Saheb
BOLE, Mr. S. K.	MASTER, Mr. A.
BUNTER, Mr. J. P.	McKEE, Mr. W. G.
DABHOLKAR, Sir VASANTRAO A.	MEHTA, the Honourable
DADACHANJI, Dr. K. E.	MONTGOMERIE, Mr. A.
DEHLAVI, The Honourable Mr. A. M. K.	MOUNTFORD, Mr. L. J.
FERNANDEZ, Dr. COSMAS	MUJUMDAR, SARDAR G.
FRAMJI, Mr. K. S.	NAVLE, Mr. N. E.
GHOSAL, Mr. J.	NEKALJAY, Mr. R. S.
GHULAM HUSSAIN, the Honourable Sir	NOOR MAHOMED, Mr.
HAMID M. ABDUL ALI, Mr.	OWEN, Mr. A. C.
HARRISON, Mr. C. S. C.	PERCIVAL, Mr. P. E.
HATCH, Mr. G. W.	PETCH, Mr. F. W.
HEPPER, Sir LAWLESS	RIEU, The Honourable
HUDSON, Sir LESLIE	SHINDE, Mr. R. D.
JADHAV, the Honourable Mr. B. V.	THAKOR of Amod, the
JATOI, Khan Saheb HAJI SERAI IMAM- BAKSH	THOMAS, Mr. G. A.
JATOI, WADERO KADIRBAKSH	WEBB, Mr. M.
JEHANGIR, the Honourable Mr. COWASJI	WILES, Mr. G.
	WOODS, Mr. E. E.

Tellers for the Noes : Mr. J. ADDYMAN and Mr. A. C. OWEN.

Bill read a second time. Question put that the bill be time and carried.

*Bill read clause by clause.*

Clause 1 (*Short title*) ordered to stand part of the bill.

Clause 2 (*Amendment of section 1 (iii) of Bombay II o*

In clause (iii) of section 1 of the Indian Stamp (Bombay Amendm words "and shall be in force for four years thereafter" shall be re

The Honourable the PRESIDENT : The next question stand part of the bill. To that there are two amendme from the honourable member the Deputy President to effect :

"Substitute the word 'six' for the word 'four' in section 2, as repealed" and put the word "substituted" for it."

The second amendment is from the honourable member M

Substitute the word "five" for the word "four" in line 2 a "repealed" and put in its stead the word "substituted".

Honourable members will realise that the only difference b amendments is that while the honourable member Mr. S extend this bill by only one year, the honourable member wishes to extend it by two years. I do not know whe honourable members cannot arrive at some arrangment by amendment may be put before the House. But if that is procedure that appears to me best adapted to save the tim is to get both the amendments discussed together and th them is defeated put the other as against the motion stand part of the bill. I think that the main principle und amendments is identical, the only difference being wheth

the President]

ended by two years or one year. If the House would prefer to discuss separately, I will allow it. But in that case, I propose to take the honourable member the Deputy President's amendment first as dealing the longer period. If that amendment is lost, I will allow the honourable member Mr. Surve to move his amendment to extend the by one year, without any discussion, and I will put it to the vote.

Mr. R. P. PARANJPYE: May I suggest, Sir, that the honourable member Mr. Surve's amendment should be put first? A member who votes to extend the Act for one year may vote for two years: a member wants to extend the Act for two years may not vote for one year.

The Honourable the PRESIDENT: That is the exact reason why I do not adopt the procedure I have indicated. A member who wishes to extend the Act only by one year can vote against two years. At first issue will be whether the Act should be extended for two years. If a majority is not in favour of extending it to two years, then the one year's amendment will be formally proposed and put to the vote. There will be two occasions to decide; firstly whether they want two years, which is the longer period, and if they do not want that longer period.....

Mr. R. P. PARANJPYE: Sir, may I point out that the point of view of members on this side is not to have the Act at all. Then, the best thing.....

The Honourable the PRESIDENT: But they have been defeated on this issue.

Mr. R. P. PARANJPYE: Quite so; but the next best thing is to have extended only for one year, and the next best is two years. After they have been defeated in their contention that the Act should not be passed at all, they should be given the chance of voting for the next alternative.

The Honourable the PRESIDENT: In the first place, I should like to know whether there is no possibility of the Deputy President and the honourable member Mr. Surve agreeing to one period. Otherwise, I will ascertain whether the general feeling is in favour of the suggestion made by the honourable member Dr. Paranjpye. I will of course adopt the procedure as is most agreeable to the House.

Mr. K. F. NARIMAN: Are we to compromise?

The Honourable the PRESIDENT: The honourable member will recognise that there is no question of compromise when dealing with legislation. It is open either for the honourable member Mr. Surve to draw his amendment in favour of the one moved by the Deputy President or for the Deputy President to withdraw his amendment in favour of that of the honourable member Mr. Surve. If both honourable members desire to stick to their amendments, I will take that one which is favoured by a consensus of opinion among non-official members.

The Honourable Sir HENRY LAWRENCE: Mr. President, perhaps you may solve some of the difficulties if I say at once that Government

[Sir Henry Lawrence]

are prepared to accept the amendment proposed by the President, *i.e.*, accept that the word "six" should be the word "four", so that the Act should be in force for

The Honourable the PRESIDENT: I hope that honourable member Mr. Surve to withdraw his amendment.

Honourable MEMBERS (to Mr. Surve) : "Don't withdraw."

The Honourable the PRESIDENT: Will the honourable member himself state what he wishes to do?

Mr. A. N. SURVE: Sir, I wish to press my amendment and want to withdraw it.

The Honourable the PRESIDENT: Then it appears of what the Honourable Leader of the House has said, that should be to let both the amendments be put before the House and discussed together. Those who are in favour of one year and those in favour of two years will vote for it and will save the time of the House. It does not matter which is moved first. If the amendment of the honourable member Mr. Surve is moved first, the honourable member Mr. Lawrence moved as an amendment to that, and *vice versa*. It makes no difference. The issue is clear: honourable member Mr. Surve, one year or two years. As notice of the honourable member's amendment was received first, I will ask him to move it first. Then the Deputy President can move his amendment.

Mr. A. N. SURVE (Bombay City, North): Sir, I have my amendment standing in my name:

In clause 2, *substitute* the word "five" for the word "four" in the word "repealed" and put in its stead the word "substituted".

Sir, the reasons which have prompted me to move this amendment are two. The first is that when the Stamp Act was passed it was extended for a fixed period only. Moreover as it is the nature of a fresh taxation, Government should not have extended it for a period than one year: the period should be as short as possible. The second point is that it is the basis of the reforms that the Council shall have the power to make and if we sanction this taxation for a longer period to that extent we deprive ourselves of the power which the Government has conferred upon us. Therefore in order to retain the power we should give as short a period as possible. Another point is that if we extend it for a longer period then we will be usurping the power of our successors who will be coming here next year. We are tying down their hands. They will be coming here with the franchise from the electorates and it will be for them to see whether the additional money which the Government demands is justified. I commend my amendment for the acceptance of the House.

Question proposed.

[Mr. R. D. Shinde]

Reclamation losses. Unless Government do take the steps which the opposition are trying to impress upon Government, namely, to institute an impartial enquiry into the Back Bay Scheme and the losses resulting therefrom and also unless the Government in the course of the next year make earnest efforts at retrenching all expenditure, I think next year the new House that will be returned will be justified in continuing this tax or rejecting it as they think proper.

Mr. A. N. SURVE (Bombay City, North) : Sir, the general support that I have received for my amendment makes it quite unnecessary for me to give any lengthy reply. I must bring it to the notice of this House that even such a simple amendment as referring the bill to the select committee was not accepted, and as the ryots are the persons on whom the incidence of this taxation generally falls, it is but necessary that the incidence of this taxation should have been so adjusted as to give them the utmost protection. But as that thing is not achieved, the next best course is to extend the Act only for one year and I hope and trust that the honourable House will accept my amendment.

The Honourable Sir HENRY LAWRENCE : Mr President, in view of the opinions that have been elicited from various quarters of the House, some from honourable members who have been very amiable in supporting Government hitherto in critical divisions, I am, on behalf of Government, prepared to accept the amendment, namely, to substitute the word "five" for the word "four".

Mr. B. G. PAHALAJANI : I beg leave to withdraw my amendment, Sir.

Question put and leave granted.

The Honourable member Mr. A. N. Surve's amendment was then put to the vote and carried.

Clause 2, as amended, ordered to stand part of the bill.

Preamble ordered to stand part of the bill.

The Honourable Sir HENRY LAWRENCE : Mr. President,  
 Third reading. I now move that the bill be read a third time and passed into law.

Bill read a third time. Question put and carried.

The Honourable the PRESIDENT : The bill is read a third time and passed.

### **BILL No. III OF 1926 (A BILL FURTHER TO AMEND THE COURT-FEES ACT, 1870).**

The Honourable Sir HENRY LAWRENCE : Mr. President, I introduce the bill.

The Honourable the PRESIDENT : The bill is introduced.

The Honourable Sir HENRY LAWRENCE : Sir, I rise to ask for the first reading of Bill<sup>a</sup> No. III of 1926—a bill further

First reading.

to amend the Court-fees Act of 1870. The object of the bill is to enhance court-fees in certain cases for the purpose of increasing the revenue of Government. It is unnecessary for me, after the elaborate exposition given in my budget speech and the concise summary which I made in introducing Bill No. I, to labour once again the subject of the present financial position of Government. I have already, I hope, made the necessity of expanding the revenues of Government perfectly clear to the whole of this House. Most of the honourable members have sufficient knowledge of the history of this measure, making it unnecessary for me to dwell at length on the subject. Nor do I propose to apologise for again endeavouring to tap a very legitimate and obvious source of public revenue.

Court-fees, at the present day, still stand at the level of 1870 in spite of the great depreciation in the value of money. The present fees are, in many cases, insufficient to cover the actual cost to Government of the services rendered. A bill similar to the present one was brought forward in 1922, and this House ultimately converted it into Bombay Act I of that year, but with a life of two years only. Two years ago, in 1924, Government sought to extend the life of that Act, but this House unfortunately did not then see its way to approve of that action. Perhaps it was too optimistic as to the financial future. A similar bill was brought forward again last year, but in certain very special circumstances which must be within the memory of members of this House, Government decided to drop it. Circumstances have now changed. The financial issues have become very clear cut and Government feel that they have no alternative but to urge this House once again to grant them this source of revenue.

Meanwhile, an endeavour has been made to improve former bills out of which the present one arises wherever possible. The incidence of the taxation proposed will fall both on the people of the mofussil and the people of the city of Bombay, more especially on the former in the form of institution fees, and more especially on the latter in the form of probate duty. Institution fees are levied *ad valorem*. There is no reason why *ad valorem* duties should not be increased with the changed circumstances. Theoretically, it is quite sound to overhaul any scale of duties from time to time as the conditions in which they are levied change. Further, as I have already said, the present scale of duties was laid down more than half a century ago. During that time, the cost of services rendered by Government has risen very high. It is full time that some adjustment was made. In respect of these fees Bombay lags behind the provinces of India, which provinces after following the excellent lead that we gave them in 1922 have in most cases made the Act permanent.

Government have made enquiry, but they have no reason to believe that the temporary enhancement which was imposed in 1922-24 caused any hardship to any part of the country. There need be no fear that the poor cultivator will suffer. No enhancement has been proposed in the case of institution fees, when the subject matter in dispute is valued

<sup>a</sup> Vide Appendix B.

[Sir Henry Lawrence]

at Rs. 1,000 or less. Certain amendments have now been proposed to raise that minimum figure still higher. Those amendments it will be possible to consider if this House remits the enquiry to a select committee, and Government are quite prepared to have full consideration paid to any such amendments in the select committee. Generally speaking, an enhancement in the fee can only be made where experience has shown that the fee or duty at present levied is so inadequate as to lead to some abuse of judicial procedure or does not cover the actual cost to Government of the services rendered.

As regards fees for Probate and Letters of Administration, those imposed under the corresponding Bengal Act have been taken, and they rise to a maximum of 5 per cent. The maximum fee leviable under this bill is Rs. 10,000 as in Bengal. I may mention, however, that in Madras and the Punjab there is no limit at all.

The bill also introduces various improvements of the present law and practice which Government have adopted on the recommendation of the High Commissioner and other judicial officers. For details, I would refer honourable members to paragraph 3 of the statement of objects and reasons.

Sir, I recommend this bill for the acceptance of the House.

Question proposed.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Sir, I oppose the first reading of this bill. Last year, the bill was withdrawn by Government; this year they have again introduced it. In the speech delivered by the Honourable the Finance Member two years ago, it was stated that we have not yet had death duties, but here, in the present bill, a tax which is equivalent to death duties is proposed to be brought into force, because probate duties and certificate duties are nothing but a euphemism for death duties. Last time Government withdrew a similar measure, and made it a point to represent to the Government of India that it was not possible to tax the Presidency further. The Government of India did hear the representation of the Bombay Government and a subvention of Rs. 22 lakhs was made. On the other hand, this year, we are very sorry that Government are pressing for further taxation. If they follow this method, it would not be possible for this Presidency to get its due share from Government of India. It is rumoured that Government of India budget is a surplus budget, and I think that the proper share out of that surplus budget the Bombay Presidency must claim.

There is also another important fact to be borne in mind as far as court-fees are concerned. For the last two years a similar bill is being discussed on the floor of this House, and it has been pointed out to Government that these court-fees fall more heavily on the poor than on the rich, because it is the poor man who is not able to pay his debt and his creditor goes to the court, and ultimately the court-fee has to be paid by the poor man who is unable to pay his debts. In the first instance, the lender may pay the fee, but ultimately, when a decree is passed, the cost is passed on to the poor debtor. Hence, these court-

[Mr. J. C. Swaminarayan]

fees will press very heavily on the poor and especially on the poor agriculturists. Therefore, I appeal to the people who represent the interests of the agriculturists to oppose the imposition of this tax. With these words, I oppose the first reading of this bill.

Mr. H. B. SHIVDASANI (Surat District) : Sir, I rise to oppose the first reading of this bill. I am really surprised that this pernicious bill for the taxation of justice finds so much favour with Government.

It seems to me to be hardly annual with them and every year they bring forward this bill without the least justification. The Honourable the Finance Member has told us that as the cost of the services has risen, Government is compelled to raise the scale of court-fees. Now let us see what is the cost of Government as regards the administration of justice and let us see what is the income derived by Government from the same source. In Civil Estimates page 97, the total expenditure on the administration of justice is shown as 74 lakhs 13 thousand including the expenditure on the High Court. Suits in the High Court on the Original Side are exempt from stamp duty except a nominal duty, but suppose we take into consideration the entire expenditure of Government on the administration of justice, it comes to 74 lakhs 13 thousand. As against this Government has a revenue of 16 lakhs 14 thousand from the administration of justice, Civil Estimates page 35, and they have got an income of 79 lakhs 95 thousand from judicial stamps (*i.e.*, page 29) bringing up the total revenue of Government from the administration of justice and judicial stamps to 96 lakhs and 9 thousand, which leaves Government a surplus of roughly 22 lakhs of rupees, and a net revenue of 22 lakhs of rupees from the administration of justice might be considered a very handsome revenue even by a commercial company. If a corporation were to spend 74 lakhs of rupees and to realise a gross revenue of 96 lakhs and a net revenue of 22 lakhs, it would be considered a very fortunate corporation and it would be able to pay a dividend of from 12 to 25 per cent. and if it were proposed to raise its scale of charges so as to give a dividend of 50 per cent. there will be an uproar in the country ; yet this Government without any hesitation year after year is bringing these taxation bills on the plea of increasing the scale of charges to meet the increased cost of services rendered.

Let us see now what was the expenditure and revenue 15 years back. In the Blue Book in the Statement I at pages 26 and 27 we find that the revenue of Government from the administration of justice was in 1910-11, 5·7 lacs of rupees and revenue from stamps was 80·5 lacs of rupees. The details about the receipt from general stamps and judicial stamps are not given, but roughly the income from judicial stamps can be taken at half the total income from stamps ; so the total receipts in 1910-11 from judicial stamps and the administration of justice came roughly to about 46 lakhs of rupees. As would appear from statement 2 on pages 28 and 29 in the Blue Book, the expenditure on administration of justice was 54·1 lakhs. That means that in the year 1910-11 Government had to contribute 8 lakhs of rupees from the general revenues in order to make up the deficit on the administration of justice.

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As against this in the coming year the figure for receipts comes to 96 lakhs of rupees and the figure for expenditure comes to 74 lakhs of rupees, so that this year instead of the Government having to contribute anything from the general revenues to the administration of justice they have the handsome surplus of 22 lakhs from the administration of justice which they could utilise for general expenditure. Yet the Honourable the Finance Member has the audacity to say that as the cost of services has risen they want to raise the scale of charges. Is it not ridiculous that whereas you had to contribute in the year 1910-11 the large amount of rupees eight lakhs from the general revenue which at that time represented a much larger percentage of the total revenue receipts in the year 1910-11 were about 8 crores,—now you are getting on—a surplus of 22 lakhs of rupees which means that as compared with 1910-11 you are better off by as much as thirty lacs of rupees from the administration of justice and yet the Honourable the Finance Member now gets up and says that he is introducing this revised scale of charges because the cost of services has risen. This is simply ridiculous. It amounts almost to a misrepresentation. In an ideal state Justice would be quite free. But in a modern state where the resources of the state are more or less limited and the demands of expenditure so many and persistent that it becomes necessary to charge fees to persons having resort to the courts. But these fees should always be kept as low as possible and should under no circumstances be looked upon as a source of revenue. The object should be to keep down the loss from the administration of justice at as low a figure as possible.

In England the theory is that the King is the fountain of justice and I believe that it is in accordance with this theory that no fees are charged in the High Court on the Original Side.

MR. A. MONTGOMERIE : Sir, the statement that no court-fees are charged in the High Court is entirely incorrect.

MR. H. B. SHIVDASANI : At any rate the fees charged are quite nominal and as a matter of fact if a man has to file a civil suit in a civil court in Bombay he finds it much cheaper to have resort to the High Court because the scale of fees charged in the High Court is more or less nominal. I am, of course, talking of the Original Side. At present there are so many delays in the administration of justice that many people are reluctant to have recourse to a court of law. As a matter of fact they are willing to give up a fairly large part of their claims if it is possible to settle them out of a court and it is not desirable to put any more obstacles in the way of people getting justice. Surely it cannot be the policy of the state to encourage people not to fulfil their obligations by making recoveries by means of the law courts difficult. Moreover we have just seen the report of the Taxation Committee and in that report the committee recommends that the scale of court-fees charged at present is excessive and they recommend that it should be reduced. In the face of all these things I am surprised that the Honourable the Finance Member has pressed for the first reading of this taxation bill and I hope



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this House will reject it as it is not desirable to make the administration of justice more expensive than it is at present and it is not desirable to put any more obstacles in the way of people compelling the other parties to fulfil their obligations to them.

Mr. J. R. ABERCROMBIE (Bombay Chamber of Commerce) : I rise, Sir, to oppose this bill.

I do not propose to deal with the ethics of this bill but the Chamber of Commerce whom I represent are of opinion that the taxable limit has been reached and that any further taxation will have a deleterious effect upon trade. Recently, I am glad to say, there have been signs of returning trade and I am anxious that this improvement should not be scotched by unduly heavy taxation.

I admit, Sir, that the direct application of this tax on any individual trade a trader is not obvious, but it is undoubtedly a fact that all taxation is ultimately borne by the consumer. For instance were I to lose a lawsuit I should endeavour to recover the cost from subsequent transactions and I presume every other merchant would do the same.

During the past year the Chamber of Commerce has instituted an enquiry into the comparative costs of the principal ports in India and have found that the costs in Bombay compare very unfavourably with those of other Indian ports.

In addition to this I consider the budget unduly pessimistic. The balances are large and after setting aside all that is required for famine relief there are still large reserves upon which to draw in case of emergency.

I would ask Government whether they have fully considered the effect upon trade of further taxation and whether all avenues of retrenchment have been carefully explored by which the same result might be obtained without further taxation.

Mr. P. E. PERCIVAL : Sir, I should like to make one or two remarks on the speeches that have already been made. The honourable member, Mr. Shivdasani, has given certain figures regarding the revenue and expenditure in respect of judiciary. I do not propose to deal with those remarks, because they will probably be dealt with by the Finance Secretary and the Honourable the Finance Member ; but I wish to just warn the House not to be guided by his figures. It is very difficult to arrive at the correct figures, and, unless they are checked by the Honourable the Finance Member and the Finance Secretary, those figures I suggest, should not be accepted by the House. I suggest further that the honourable member was not accurate in his statement, when he said that there were no fees charged by the Original Side of the High Court. The honourable member, the Home Secretary, corrected him but, in spite of that the honourable member repeated that statement.

Mr. H. B. SHIVDASANI : I said that the fees charged were nominal.

Mr. P. E. PERCIVAL : I am prepared to accept that the fees charged in the High Court are lower than the fees charged in the mofussil.

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My honourable friend from Bombay says, speaking generally on the taxation, that it falls heavily on Bombay, whereas the honourable member Mr. Soman, complains that the major portion of the taxation is borne by the mofussil. The view of the Bombay Corporation also is that it falls heavily on Bombay. If honourable members consider carefully they will find that the taxation is very fairly distributed between the mofussil and the city. Honourable members should not take one bill alone and discuss its incidence on particular parts of the presidency. Taking the taxation as a whole it is distributed very fairly between the mofussil and the city of Bombay.

One other honourable member complained that this taxation will fall on the poor cultivators because they, defendants, will have to pay the court-fees. But the Honourable the Finance Member has already pointed out that no enhancement will be made in the case of institution fees when the value of the suit is Rs. 1,000 or less. Last year no change was made up to Rs. 500. The Honourable the Finance Member with his usual liberality has consented this year not to make any change in the schedule up to Rs. 1,000. It is not the object of this bill to tax the poor man, but to revise the rates in the schedule, which were fixed so long ago as 1870, and to make them suitable. We are in quite a different position from that in which we were in 1870. In the year 1870 this bill was passed by a Council consisting of 11 gentlemen of whom all were Europeans and almost all officials. I ask the House why they should consider the schedule of an Act passed in 1870 superior to a schedule that will be drawn up by the members of this House, if the bill is referred to a select committee. Why should we not make any change in that old obsolete schedule of 1870?

Dr. R. P. PARANJPYE : Reduce it.

Mr. P. E. PERCIVAL. The present proposal of Government is to revise the old rates and base it on sound principles. In 1870 the then Finance Member fixed the maximum of institution fees at Rs. 3,000. Madras and the Punjab have increased that figure and have fixed no maximum limit. It has been suggested by some honourable member that the weight of this taxation will fall on the mofussil. We anticipated last year an increase of 18½ lakhs from this source, of which 7 lakhs are expected to be derived from Bombay. The balance of 11½ lakhs is expected from the mofussil. So, it will be realised by honourable members that this taxation is fairly spread throughout the whole presidency.

I now wish to draw the attention of the House to the probate duty, the rate of which was originally fixed so long ago as 1870 at 2 per cent. as a minimum and as a maximum. In the year 1910 the minimum was continued at 2 per cent. while the maximum was raised to 3 per cent. In Calcutta 2 per cent. is the lowest and 5 per cent. is the highest. We propose to raise the maximum to 5 per cent. as it exists in Calcutta.

MOULVI RAFIUDDIN AHMAD : What is the rate in England ?

Mr. P. E. PERCIVAL : It is from 1 to 40 per cent. in the case of death duties. In this connection there is another point which I wish to bring to the notice of honourable members. If a man, who has got property both in Calcutta and Bombay applies for probate, while the Calcutta High Court will charge 5 per cent. the High Court of Bombay will charge only 3 per cent. for the same price of paper, as probate given by a High Court extends over the whole of India. This is absurd on the face of it.

The Honourable the PRESIDENT : Is the honourable member likely to take more time ?

Mr. P. E. PERCIVAL : I may take some five minutes more.

The Honourable the PRESIDENT : The honourable member may continue his speech after the recess.

*(After recess)*

Mr. P. E. PERCIVAL : Mr. President, I have a few more remarks to make. In the first place I wish to correct the statement of the honourable member Mr. Shivdasani. I understood him to say that the Taxation Enquiry Committee have proposed a reduction of the court-fees. Well, we have here the honourable member for Bombay University to give us the correct facts. I have just glanced at the report, and what I understand roughly is this, that the Taxation Enquiry Committee, in regard to court-fees, have proposed some increases and some decreases. At any rate they do not support the schedule as it stands at present. That is perfectly clear. And secondly I may mention—and I am coming to that later—that the Taxation Enquiry Committee have proposed the raising of the fees in regard to probates. I think the honourable member for the Bombay University will accept this as a brief statement of what is recommended by the Taxation Enquiry Committee. One other point with regard to court-fees, which I would like to mention, is that the schedule of 1870 is very strongly graduated in favour of the rich as against the poor. The proportion that you pay on 4 or 5 lakhs is 1.25 of what you pay on a hundred rupees. Now-a-days the financial principle is to graduate against the rich. The rich man pays a higher rate of income-tax and a higher rate of death duties. But in the Act of 1870, the graduation is the wrong way. They have graduated against the poor man in favour of the rich. What we propose now is to remedy the incorrect position which has been so long maintained. In the case of small amounts we do not propose to increase the court-fees. We propose to increase it only in the case of the larger amounts. The largest court-fees payable under the present rule is, as I have indicated, Rs. 3,000. That figure was taken simply because it was included in the schedule of 1870. Now, in Madras and the Punjab there is no limit of that character. It may amount there to Rs. 30,000.

Now, Sir, passing to the question of probates, I was referring just now to the probate rates in Calcutta, and I said that the probate rates in Bombay under the Act of 1870 as amended in 1910, are a minimum of 2 and a maximum of 3 per cent., whereas in Calcutta the minimum is 2 and the maximum is 5. So that what we propose under the schedule is merely to levy an additional tax on the rich man. The minimum of 2 and maximum of 3 will remain, but for large estates a higher rate will be

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charged. Now, recently in Calcutta an amount of 8½ lakhs was paid on a single estate. We take only three per cent. So that, if that estate had come into the market in Bombay we should have only got 5 lakhs. Why should we not take the other 3½ lakhs? They pay in Calcutta 3½ lakhs more than they pay in Bombay. We can get that money and use it for the purpose of primary education. Again in England 10 per cent. duties are imposed.

But, Sir, the case is even stronger than this. New events have occurred since this time last year. One of them is that since that date a bill has come up before the Legislative Assembly. This discrepancy between the Bombay and Calcutta rates was noticed, and the Calcutta High Court had suggested that there should be a uniform probate rate throughout India. The Government of India introduced a bill in the Legislative Assembly amending the Court-fees Act. There were various amendments, and in particular that provided that there should be uniform probate rates throughout India. The rates that were proposed were the Calcutta rates, which are also the rates in existence in Bihar and Orissa and Assam. Now I would invite particular attention to what occurred in the Legislative Assembly. The matter was referred to a Select Committee consisting of 10 non-officials and 5 officials. What they did was probably unknown in the history of legislation in India. They raised the higher rates, and suggested graduated rates with a minimum to 1 and a maximum of 6.

MOULVI RAFIUDDIN AHMAD : Can the honourable member tell us what the attitude of the Bombay High Court was?

Mr. P. E. PERCIVAL : As regards probate rates they have no objection. They are in favour of probate rates being raised. At any rate the above is what the members of the select committee did. I will now read the names of some of the members of the Select Committee :

Diwan Bahadur Rangachariar.

Sir Hari Sing Gour.

Mr. K. C. Neogy.

Mr. Mahomed Yakub.

Mr. Ghulam Bak.

Mr. N. M. Dumasia of Bombay.

These were some of the members who thought that the rates from 2 to 5 were not high enough. I ask the House, when the members of this select committee of the Legislative Assembly say that 2 to 5 is not high enough, shall we refuse even to consider the possibility of an increase from 3 to 5? All that we propose is that the Act of 1870, drawn up on wrong principles, is capable of improvement, in view of the fact that the select committee of the Legislative Assembly proposed 1 as minimum and 6 as maximum.

There is another point in connection with the bill. When the bill was introduced in the Assembly some honourable members wanted Government to take the opinion of the local Legislative Councils. Now we have a

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splendid opportunity of expressing an opinion which will go to the Government of India and the Legislative Assembly. I suggest that we should take this opportunity ; and we shall be the first Council in India to give our opinion on the subject after the report of the Taxation Inquiry Committee has been published. That opinion will be sent to the Government of India before the other bill again comes before the Legislative Assembly. I have already referred to the Taxation Inquiry Committee and I may mention that the Taxation Inquiry Committee also favour an increase in the probate duties. Their actual figures are I believe  $\frac{1}{2}$  to 6. Here again they condemn the minimum 2 and the maximum 3. I am sure the honourable member for Bombay University will support this principle. At any rate I do not see how he can go back on the opinion expressed in the report because he has signed this report. Let us now give our opinion and it will go to the Assembly later on. At any rate this is an opportunity generally to carry out the proposals of the select committee of the Assembly and also of the Taxation Inquiry Committee. Before concluding, I would just read an extract from the speech of the Honourable the Minister for Education in the Bengal Legislative Council when the Court-fees Amendment Bill was being discussed there. With reference to Japan about which we have heard a good deal lately the Honourable Mr. P. C. Mitter, Minister for Education, said :

“ I may point out what I believe is well known, that Japan got her new constitution in 1890. At that time the wealth of the country was small, the administrative expenditure was very high and it was steadily growing, while the taxable capacity of the people was believed to have reached its utmost limit \* \* \*

“ In 1893 the total national revenue was 11 crores of yens or about 18 to 20 crores of rupees ; in 1903 it was 26 crores of yens, that is to say the revenue was increased by taxation by about  $2\frac{1}{2}$  times ; in 1913 it was 72 crores of yens and in 1919 it was over 80 crores of yens. That is to say the taxes were raised by about 8 times. The result was that industries improved, technical education became well established ; primary education became compulsory ; Universities were established. \* \* \* In 1890 she got her constitution and in 1905 she became one of the premier nations of the world. I would appeal to the responsible members of this Council to look ahead, and not to take too narrow a view of things. Let those who can pay, willingly pay for the up-lift of the nation as a whole ; and if you do that, I am sure swaraj will be much nearer than any of those who think to the contrary imagine.”

I do not want to press the analogy too much. But I contend that Japan acted in a statesman-like manner in increasing taxation and spending the money on education, which has benefitted her in the long run. The taking of similar steps would enable us to have the same results now.

I would also draw attention to the question as to what classes of persons will benefit from the passing of these bills. The Honourable Members of Government have explained that the proceeds of the bills are going to the Transferred Departments ; they will be chiefly devoted to primary education. What are the particular classes and castes who require primary education ? Now in the last Census Report the late Mr. Sedgwick gave a statement showing by caste the degree of literacy in the Bombay Presidency. It did not include the Europeans, Anglo-Indians and the Parsis as they practically all have primary education. The main items in the list were as follows :—

Vanis	..	..	750 out of 1,000.
Prabhus	..	..	730     ”

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Brahmins	..	..	670	out of 1,000.
Marathas	..	.	58	"
Mahars.	..		23	"
Baloches	..	..	17	"
Bhils	.	..	1	"
Katkaris	.		3	"

My point is this : that, if we give the money to primary education, the Marathas will gain the Mahomedans will gain and the Bhils would gain. In Panch Mahals and West Khandesh there are many Bhils and out of every 200 of them 199 are totally uneducated. These are the people who are going to gain by this taxation : these are the people who stand to lose if the taxation is thrown out.

Dr. R. P. PARANJPYE : Sir, we have occasionally heard of a certain person quoting scriptures for his purpose and I think the honourable member the Legal Remembrancer has played that part exceedingly well in the speech that he made to-day.

The Honourable Sir HENRY LAWRENCE : Is it in order, Sir, to call an honourable member of this House a devil ? (Laughter).

The Honourable the PRESIDENT : Certainly not.

Dr. R. P. PARANJPYE : I did not use that word, Sir.

The Honourable the PRESIDENT : But the honourable member implied it. I take it that he withdraws the expression ?

Dr. R. P. PARANJPYE : Yes, Sir.

Mr. A. MONTGOMERIE : Is it in order for the honourable member to liken himself to Almighty and to claim for his work sanctity of the scriptures ?

The Honourable the PRESIDENT : A man is perfectly entitled to claim himself to be whatever he likes. (Laughter).

Dr. R. P. PARANJPYE : The honourable member the Legal Remembrancer was very eloquent on the democratic idea, but I would point out to him that the first fundamental principle of the democratic idea is that the people must have full responsibility for spending that money. When the people have the full responsibility for spending the money I shall agree even more whole-heartedly than the Legal Remembrancer himself about raising any funds that may be necessary for the beneficent services that Government undertakes. It is only because we feel that the money we are going to vote is going to be sunk in the Back Bay that we look at these proposals so very critically. He told us about various things in connection with this bill. I would dot the i's and cross the t's in the case of some of the proposals. The honourable member knows that I am myself a keen socialist and I would go in for any proposal towards that end, and therefore I will agree to any proposal of a socialistic nature when the money obtained from these proposals is used for the benefit of the people of this country. Take the case of these propate duties. He told us that in other provinces, in Bengal particularly

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probate duties are higher while in Bombay they are only 3 per cent. In the first place, the probate duties as at present levied are only partial in their operation. The honourable member knows quite well that these probate duties affect only certain classes and do not affect all the classes in an impartial manner. They affect Europeans, Indian Christians, Jews, Armenians (An Honourable Member Parsis also), Parsis also. Everybody that dies leaving a certain property, from these classes, has got to pay this probate duty. In the case of Hindus in the city of Bombay, under certain conditions they have to pay probate duties; other classes have not got to pay probate duties unless they leave a will or unless they want the help of the courts in recovering property. So that, when we are talking of an increase of probate duty, members will have to remember that we are making this unfair tax still more unfair. If it were a case of an all round imposition of probate duties, and further with the object of making use of that money according to the wishes of the popular representatives, I would not have objected to them in the least.

I think my honourable friend from Ahmedabad district was wrong when he talked about these probate duties, because these probate duties, as I have just now mentioned, apply only to certain classes.

In the statement of objects and reasons, as also in the speech of the Finance Member, he told us that the scale has got to be increased because there has been change in the value of money. I would point out that the change in the value of money can possibly strengthen the case of duties which are only specific. When, for instance, 50 years ago the fee in a certain case was Rs. 5, the same fee of Rs. 5 to-day might possibly be unfair. But that does not apply to the very large number of cases in which the duties are *ad valorem*. Suppose, in a suit referring to a particular estate when that estate was worth Rs. 3,000, you paid a certain fee. Now that estate may be worth Rs. 10,000. The rate is the same; you would pay increase in fees in the same proportion, so that the change in the value of money would equally well affect the cost or the value of the subject matter of the suit. Therefore, there is no case made out at all for increasing the court-fees when the fees are charged *ad valorem*. Honourable members must have realised the fallacy of this. It is not right, therefore, that the *ad valorem* rates should be increased on account of the change in the value of money. There is repeated complaint made in this House and elsewhere about the unfair incidence of court-fees in Bombay and in the mofussil. Even four years ago when this bill was brought before the Council, members with the experience of litigation complained that litigation before the High Court was much cheaper than litigation in the mofussil. I am not a lawyer, Sir: I am only giving my impression. I think the complaint was that only a very small institution fee was charged in Bombay. Further small charges are levied according to the services that are given by the High Court. At every stage a little fee is to be paid, but there is no *ad valorem* fee according to the value of the subject matter of the suit and it has been found out, after exhaustive study of both litigation in the High Court and litigation in the mofussil that litigation in the High Court is very much cheaper than in the

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mofussil. I would like Government to go into this question very carefully and make this incidence of court-fees fair. I would just read a small passage from this book, which has been continually referred to :

"While uniformity is desirable generally, there is one case in which the lack of it is a subject for remark, and that is the case of the three Chartered High Courts. While therefore the Court-fees Act applies to all other Courts in India as well as to the Appellate Sides of the three Chartered High Courts, in respect of suits on the Original Side these three Courts constitute, as it were, *imperial n imperio*, exercising taxing powers irrespective of the legislature. Not only do the fees levied by them differ from those levied in mofussil Courts and in other High Courts, but those levied in one Chartered High Court differ from those levied in another."

And consequently, if Government really want to be fair in the matter of the revenue from these court-fees, they have got here a problem which is crying for solution. Government do not do anything in the matter. This complaint has been repeatedly made, the matter has been repeatedly brought to notice, and yet the Remembrancer of Legal Affairs and Government have done nothing to remedy the matter. The honourable member also referred to the higher rates of fees in Bengal and said that because Bengal has got higher rates of fees the Bombay Presidency should immediately follow and also charge those fees !

I wonder whether he wants us to follow the example of Bengal in all respects, in particular whether he wants to have a permanent settlement here, so that the land will not pay as much tax as it is expected to do at present. It is impossible to refer to Calcutta in one case, because the conditions there are entirely different. The Bengal Government are absolutely precluded from raising the taxation on land, and consequently they have got to increase taxation in other directions. In Bombay, however, land is paying a fair amount of revenue, and consequently Bombay need not follow Bengal in the scale of these court-fees. I quite agree with the honourable member when he says that the Taxation Enquiry Committee has proposed a reduction in some cases and an increase in this, but the whole question of court-fees has to be considered in all its details, and you cannot tinker with it by taking a few things here and a few things there, and make confusion worse confounded. As a matter of fact, it has been recommended in this report that a committee should be required to go into the whole question, and give details about every class of fees, so that the burden will be well and properly distributed.

**MOULVI RAFIUDDIN AHMAD :** Is it to be a local committee ?

**Dr. R. P. PARANJPYE :** It is much better that it should be uniform for the whole of India. At any rate, Government should move in that direction rather than go on with this tinkering.

Moreover, the committee, while proposing a reduction in some cases and an increase in others, have made one important recommendation, which I would bring to the notice of the honourable members of this Council, and it is this : that court-fees should be taken in two instalments. The committee has recommended that in some cases the courts have not to do much work at all. A suit is instituted, and soon afterwards, without the courts doing anything at all in the matter, the suit is settled ; in



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such cases the courts have got no work at all. The committee has therefore recommended that when a suit is decided before issues are framed, only half the fees should be charged, and it is only after the issues are framed and the courts have to do any work in connection with the suit that the full fees should be charged. If they do this, a great deal of the hardship caused by these fees will disappear, because lawyers tell us that a very considerable number of suits do not reach this stage of discussion or settlement of issues—they are decided before that stage comes on. In that way, therefore, if that recommendation is accepted, the poor man who has got to deal with courts will escape to a great extent. One does not know what the financial effect of the committee's recommendations will be. In some cases I am certain it will be a greater burden, but in a large number of cases also it will be a smaller burden. Therefore, I do not want the recommendations of the committee to be taken piecemeal—only those which suit Government—leaving aside those which do not suit Government. Therefore, I would not like honourable members to be carried away by the impression that they are following the recommendations of the Taxation Enquiry Committee. They are doing no such thing. While Government are in a hurry to take only one part of the recommendations, they will sit quiet and not accept the recommendations which go towards a reduction of these court-fees.

I have already considered some of the arguments mentioned by the honourable member. As I say, I am perfectly willing to go in the direction of these increased sources of taxation, provided they are fair and provided the return from this tax is used for the benefit of the people. Until we are certain that this will be done, I am not prepared to go along with the honourable member. Therefore, I think that the honourable members of this House will be well advised in not accepting this bill.

Mr. K. F. NARIMAN (Bombay City, South): Sir, before I speak on the merits of this question, I want to dispose of one or two very irrelevant arguments which were advanced by the Honourable the Finance Member at the close of his budget speech and the honourable member who represents the European community of Bombay. The Honourable the Finance Member, at the close of his speech—I do not know what was the relevancy of the remarks—referred to the results of some elections in the city and also referred to the waning popularity of some party and some person. This is the only opportunity when I can give a fitting reply to those remarks, and my reply is this, that those honourable members who seek admission into this House by the back-door of Government nomination or by the side-door of special electorates have no business to talk on general elections. I can challenge.....

The Honourable the PRESIDENT: How is that relevant? The honourable member in starting his observations criticised the irrelevancy of the remarks of some other honourable member. I should like to put to him how are these remarks of his relevant on the first reading of this bill?

Mr. K. F. NARIMAN: I have already said what I wanted to say. The honourable member representing the European community of Bombay made a suggestion attributing motives to the honourable members on this side, that their opposition was based on the fact that the next election was coming near. That is a very base motive, and I resent it very strongly.

The Honourable the PRESIDENT: Why did not the honourable member interrupt those remarks and rise to a point of order?

Mr. K. F. NARIMAN: I always prefer giving a fitting reply than interrupting.

The Honourable the PRESIDENT: The honourable member cannot do it now.

Mr. K. F. NARIMAN: I will interrupt next time when any such thing happens.

So far as this matter is concerned, Sir, it is a pity that the very learned and lucid elucidation of the situation by the honourable member who just sat down absolutely fell on deaf ears; so far as that honourable member is concerned, it struck me as if it was casting pearls before swine. He quoted facts and figures, he gave instances of the incidence of taxation. All that, to the mind of the honourable member representing the European community was only an election speech trying to canvas for the next election. But I am glad that there is another honourable member also representing a better class of European community who has seen the situation from a different standpoint, and I hope that the honourable member Mr. Addyman will not make the same remark about.....

Mr. J. ADDYMAN: Sir, I rise to a point of order. The honourable member refers to a better class of Europeans. He said "another honourable member here who represents a better class of Europeans".

The Honourable the PRESIDENT: That is an offensive remark, and comes within the Standing Order. The Standing Orders lay down that no offensive remarks can be permitted, and it is clearly drawing a distinction between two honourable members as regards the class they belong to. It is clearly offensive, and I hope the honourable member will withdraw that remark.

Mr. K. F. NARIMAN: If you will permit me to explain, Sir; what I meant to say was that the honourable member Mr. Abercrombie was more sympathetic.

The Honourable the PRESIDENT: The honourable member is a past master in the art of public speaking, and he can very well choose his words so as to remain strictly within the limits of parliamentary language.

Mr. K. F. NARIMAN: If you won't permit me to say that other member was more sympathetic, I will withdraw.....

The Honourable the PRESIDENT: Certainly, I would ask him to do so. The honourable member does not require to receive any lessons from any one in the art of public speaking. I ask him that he should

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not make offensive remarks against any honourable member. Those offensive remarks are particularly barred by the Standing Orders. The remark he did make appears to me to be offensive, and I have to ask him to withdraw it.

Mr. K. F. NARIMAN : I withdraw that remark, Sir.

The Honourable the PRESIDENT : He can very well say that one honourable member who took the view that the honourable member (Mr. Nariman) has taken was more sympathetic towards certain public interests, and that the other was unsympathetic. They are all parliamentary expressions, but he should not make offensive remarks.

Mr. K. F. NARIMAN : Very well, Sir. The honourable member has taken up a more sympathetic attitude, and I wish the honourable member Mr. Addyman will follow his good example.

Now, Sir, coming to the merits of the question, the Honourable the Finance Member and other honourable members speaking in support of the bill have referred to the Taxation Enquiry Committee's report. So has also one honourable member who has just taken his seat. But we have only taken a short study of that report, which was published only a few days ago, and one point that has struck me about the recommendations of the Taxation Enquiry Committee with regard to court-fees is this, that so far as the administration of justice is concerned, it is not to be a saleable commodity; it is the last department in the Government in which they ought to be allowed to profiteer, as the Government benches now try to do. The honourable member Mr. Shamdasani (laughter), I mean Mr. Shivdasani—he is not here and I do not wish to insult him at all—has clearly pointed out that the Government are making a profit of nearly Rs. 22 lakhs a year from the Department of Administration of Justice. I say, Sir, that is a very pernicious principle. It is one of the primary duties of a civilized Government that so far as the administration of justice is concerned, it is one of those departments from which no profits ought to be made. It is the primary duty of Government to make justice accessible to the meanest citizen in the country. And here instead of doing that, the Honourable the Finance Member is trying to increase the cost of litigation and thus the cost of the administration of justice. Therefore from that point of view it is the recommendation of the Taxation Committee that so far as court-fees are concerned they ought to be so adjusted that there ought to be no profit out of them. But that they should only be so much as to enable Government to meet the ordinary expenditure on the courts of law. Therefore from that point of view no profits should be allowed from the revenues to be derived from the administration of justice and in doing that Government will be only discharging their sacred duty to the citizens of this country, and therefore this bill should not be passed.

The honourable member Mr. Abercrombie has already pointed out that there have been various departments of Government in which there is room for retrenchment. There are various sources whereby

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retrenchment could be effected and that a sale should not be made of the administration of justice by Government that is very much to be deprecated.

When there is a bill of this nature Government say you vote for this bill if you want money for the nation building departments, *i.e.*, a demand at the point of the bayonet. That has been the attitude of the Government all along. Even yesterday the honourable member from the opposite benches got up and said "Do you want money for the nation-building departments? Do you want education, medical relief, if you want all that, we have got nothing to spare from our reserved departments and that you must therefore vote for the taxation. Otherwise all these departments will be starved." This is the attitude which is very much deprecated, and if not for any other reason, as a protest against the attitude of the Government towards these nation building departments, that this bill should be thrown out.

From our point of view it is the duty of Government to supply more money for the transferred departments than for the reserved departments. I could understand if in the reserved departments we were only confined to those activities which are necessary for the machinery for law and order as the police. But, Sir, if you turn to the Blue Book and the White Book, you will find there enormous expenditure allotted to the reserved departments and from the general point of view or from the point of view of bringing happiness to the people, we find that many departments have been starved. I will only point out one instance from the Blue Book and the White Book which shows how the expenditure on the reserved and the transferred departments is distributed and how reserved departments are given preference over the other nation building departments and how thereby from the public point of view these nation building departments are absolutely starved.

I will refer to pages 77 and 78 of the White Book. If you turn to that page you find an enormous expenditure of 12 lakhs only over the Government household and staff. Now, Sir, I am going to point out item after item and ask honourable members on the other side whether these items are really necessary for the welfare of the public or whether they are introduced for the dignity and pomp of the present Government. The total expenditure is 12 lakhs for the Government House staff excluding the Executive Councillors. Nearly 10 lakhs, that is rupees seventy-five thousand a month or more for the Government House staff. And what are the expenditure included in that apart from the Military Secretary and the Private Secretary, the band and the body-guards. You find items of this description: Purchase and repairs of furniture, carpets and equipment, maintenance of Government House Garden, purchase and maintenance of pictures in Government House, railway charge to body-guard establishment, inauguration grants for furniture and carpets, and various other items of this description. I see, Sir, if they are really serious and *bona fide* they are certainly items which if retrenched would not at all touch the efficiency of Government and Government will be able to bring more happiness to the people of this presidency

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if they could certainly retrench them. Is it befitting for the present Government when we are in a state of bankruptcy, when we have been told that we cannot cope with the administration unless we bring fresh taxation on the poor people and when we are told that the finances of the presidency are on the brink of total bankruptcy that Government should incur expenses of this description as the purchase and repairs of furniture and carpets and purchase and maintenance of pictures. It reads like palace budget of a Turkish Pasha in the "Arabian Nights". How can the expenditure on items like these such as bands and maintenance of Government House Gardens and purchase and maintenance of pictures increase the efficiency of the present administration, or how are these items increasing the happiness of the people.

Then, when we make a demand for medical relief and for more hospitals and for education of the people, the honourable member the Legal Remembrancer has given out figures of which any Government ought to be ashamed. During 150 years' administration of British rule only 10 or 15 per cent. of the people are being educated. It is an achievement of which honourable members on the opposite side ought to be ashamed. They are now bringing forward this argument for the enhancement of the taxes, and they are mentioning this as an argument for spending more on medical relief and education and other nation-building departments.

The Honourable the PRESIDENT: May I draw the honourable member's attention to the sage advice which is given in Sir Erskine May's Parliamentary Practice for the benefit of all honourable members who are taking part in a deliberative assembly:—

"The use of temperate and decorous language is never more desirable than when a member is canvassing the opinions and conduct of his opponents in debate. The imputation of bad motives, or motives different from those acknowledged; misrepresenting the language of another, or accusing him, in his turn, of misrepresentation; charging him with falsehood or deceit; or contemptuous or insulting language of any kind; all these are unparliamentary, and call for prompt interference."

I need not point out to the honourable member that extravagant language defeats its own object in getting the vote of the House in favour of the view that the honourable member may hold himself.

Mr. K. F. NARIMAN: I am thankful to you, Sir, for this advice, but so far as the canvassing of the members on Government benches is concerned, it is an absolutely hopeless task so far as this side is concerned, therefore I need not make any attempt to get any more votes from that side and I may be permitted to go on in my own way . . . . .

The Honourable the PRESIDENT: I will not stop the honourable member so long as he is using parliamentary language.

Mr. K. F. NARIMAN: So far as this statement is concerned, I do submit, Sir, that there is nothing unparliamentary in what I stated just now. This expenditure on these items which I have been pointing out is deliberate extravagance. Then at pages 74 and 75 we come to the interests on development loan. If only we removed this item from our finances, we would be far from bankruptcy, and we would not have to use violent language and to lose our temper in this House. Now turning to

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pages 74 and 76 of the Blue Book, we find the revenue and expenditure on the development department loans 76 lakhs and 50 thousand. In addition to that, Sir, there is an additional burden of 20 lakhs subsidy every year. We do not know for how many years we shall have to pay that. Only on pages 74 and 75 these amounts of nearly a crore of rupees disappear. Now, I ask the House to consider the benefit that the masses will derive from this taxation. Are we to pay for the extravagance of the Honourable the Finance Member? Are we also to pay for the folly of the administration? I put this question to honourable members who are inclined to support the Government benches. I ask them to listen to me, not as an obstructionist, but as one who has studied the question from all points of view. If the Government have made out a case for this taxation, by all means let them stick on to support Government. But I do not find any reason why should the poor people be made to pay for the folly of the previous administration. If Government find it easy to pass taxation bills in this House, I am certain that they will go on unchecked and incur greater losses. It is succinctly stated here in the Advisory Committee's Report re : Back Bay, page 26 :

"What have the ryots of Sind and Karnatak, Gujarat and Maharashtra done that they should be saddled deliberately and through financial error with so huge an annual charge? The Government of Bombay have turned down schemes of education and sanitation in so many directions for lack of funds."

Another point is that those who have nothing to do with this folly are made to pay for it; whereas those who are responsible for this folly are not to pay a pie. Is it fair, Sir, that those who are responsible for this folly should not be made to pay and should be allowed to draw their salaries of Rs. 4,000 and Rs. 5,000 and their allowances? Should not their salaries be cut off? I trust that not a single member on this side of the House will countenance any proposal for a fresh taxation. Never give any encouragement which will leave them to commit more follies and incur greater losses to the presidency, which will saddle the present generation and the generations to come. I hope there is not a single member on this side of the House who will support a fresh taxation.

Mr. L. B. BHOPATKAR (Poona City) : Sir, it was in the year 1922 that this House passed this taxation bill as a temporary measure to be in force for two years only. The preamble to the bill says : "Whereas it is expedient further to amend the Court-fees Act . . . ." and so forth. If the House comes to the conclusion that this taxation is expedient in the interests of the administration of the presidency, then surely it will be justified in supporting it. But if it thinks that it is not so expedient, then it will have to throw it out. With this object I propose to place some considerations before the House.

First of all I consider that it is not expedient to further amend this Act. In 1924, this House refused to pass this bill after careful consideration. In the year 1925, Government very wisely withdrew the bill. These are two points which the House has got to take note of at the very outset. Sir, in spite of the protestations of the Government benches that there is absolutely no scope for any retrenchment, I cannot somehow get over

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the feeling that the budgetted expenditure is capable of being greatly reduced. I have a shrewd suspicion that a sufficiently large margin is purposely kept by the Government on the expenditure side of the budget. I distinctly remember that in the first year of the life of this Council while one responsible member of the Government protested with all the vehemence he could command that he would not be able to effect retrenchment of a single pie in the departments entrusted to his charge, as soon as he saw that the House was bent upon curtailing the grant demanded by him, he readily agreed to make a cut of 30 lakhs. Sir, the Honourable the Finance Member seems to be well-versed in the principles of political philosophy and economy, and never misses an opportunity to preach sermons to the House on its duties and responsibilities. But clearly enough, he has failed to digest the principle underlying that wise saying of a great man; namely, "finance is not mere arithmetic, finance is a great policy". Viewed in the light of this saying, from a comparison of the debit and credit sides of the budget, the House cannot but come to the conclusion that the budget fails to disclose a policy which would tend to the welfare of the people of this presidency. What the Honourable the Finance Member asks us to do is to vote blindly for this taxation in order to meet the deficit in the budget. But as a matter of fact sufficient margin could easily be discovered therein if the Finance Member is minded to do so. Sir, the main issue before us is whether the proposed taxation is necessary in the interest of the people? And if after a careful scrutiny of the budget and the arguments advanced in favour of the bill, we find that it is so necessary, then we shall certainly be justified in supporting, otherwise not.

I confess to my being not a little amused at the arguments put forth both by the Honourable the Finance Member and the honourable the Legal Remembrancer in support of the bill. The two main reasons for which the Honourable the Finance Member asks us to accept this bill are embodied in the Statement of Objects and Reasons. The Statement of Objects and Reasons firstly says:

"In enhancing the court-fees the general principle followed is that where fixed fees are prescribed as in Schedule II of the Court-fees Act, 1870, the fees should be raised in consequence of the decreased value of money."

In other words, he says, why should the schedule prescribed so early as 1870 be accepted in the year 1926? If he is really serious about what he is speaking, I would ask him in return how it is that his attention is drawn only by the Court-fees Act of 1870, and not by the other Acts which are calling for amendment. Take, for instance, the Deccan Agriculturists' Relief Act, which has gone completely out of tune with the times. Take the Land Revenue Code which was passed in the early seventies and which fails to conform to the requirement of the modern times. How is it that his attention has been drawn only to such a fiscal Act as the Court-fees Act, and not to the other pieces of legislation which call for amendment? Therefore, the first point made out by him is hardly one which could carry conviction to the mind of any sensible man. The mere fact that an Act is old cannot be a ground for its

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amendment. So also, the fact that money has depreciated in value cannot be taken as a sufficient reason to amend the Court-fees Act.

The second argument put forth in the Statement of Objects and Reasons is :

"In the case of *ad valorem* fees prescribed in Schedule I of the Court-fees Act, an enhancement is made only where experience has shown that the present fees levied are so inadequate that they lead to the abuse of judicial facilities or do not cover the actual cost to Government of the services rendered."

In short, it means, Sir, that the revenues from the department of the administration of justice must be so enhanced as to cover the expenses incurred on that department. It is a principle and point of view which is not accepted as a rule of guidance by any wise administration. What has been the tendency of civilised governments ? Take any government which passes under the name of a civilised government. The whole object and tendency of that government is to make the administration of justice as cheap and expeditious as possible. Sir, I am practising in the mofussil courts for the last 16 years, and from my personal experience I can unhesitatingly say that in order to recover Rs. 100, the litigant is now required to spend from Rs. 30 to Rs. 40. Can you in all conscience call it cheap administration of justice ? Do not Government forfeit their title to being a civilised government by such an existing state of affairs ? As my honourable friend Mr. Shivdasani has just pointed out, we also find that as a matter of fact that not only the expenditure on the score of administration of justice is met out of the revenue realised from that department, but there is a surplus of 20 lakhs of rupees. Is that the right attitude and policy for the Government to adopt and to continue ? Does not this figure show that there is no necessity of saddling this presidency with additional taxation ?

Furthermore, Sir, there is a sort of differential treatment that is being given to persons residing in different parts of the presidency. If Government really care for the interests of the people, is it not their duty to move the higher authorities concerned in order to allow them to tax suits on the Original Side of the Bombay High Court ? A friend of mine who practises in the High Court has told me that if Government were to charge court-fees on suits on the Original Side on the same scale as they do charge in the mofussil courts, the income will increase by a considerable sum of money. If Government are really anxious to supply the needs and requirements of the nation-building departments, why do they not move the higher authorities to empower them to tax those who are able to bear it. They want to tax the poor cultivators who live from hand to mouth. In this connection, I am reminded of the three principles of taxation which the Honourable the Finance Member gave this House in the year 1922 when he supported the Stamp Act. It seems, Sir, that the Honourable the Finance Member is very fond of giving the House lessons in political philosophy. What are the principles he has laid down ? I am quoting almost his exact words : "for a tax to be a good tax, firstly, it must be easy to levy ; secondly, it must fall on shoulders that are able to bear it ; and thirdly, it must contribute handsomely to the



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exchequer." I at once say, Sir, that the first and third canons would be satisfied, if this honourable House passed the first reading of this bill. But the crux of the question lies in the second canon to say that the tax must fall on shoulders that are able to bear it. And now I put it to the Honourable the Finance Member and also to all officers of Government whether they can rightly say that the poor ryot in the mofussil parts has got a back broad enough to sustain this additional tax. As a matter of fact, the High Court has raised its process and other fees enormously. If we go in for more taxation, the whole burden will fall upon the shoulders of the poor cultivator, who ultimately stands to lose the most. Are we the representatives of the poor ryots to be so callous as to permit this load of additional taxation to be placed on their backs, when they are already groaning under the weight of the existing taxation?

There is one other point raised by one honourable member, whose name I forget, and it is that a colossal sum is taken away by the Government of Bombay in the form of the income-tax. If Government really desire a re-adjustment of the financial relations between themselves and the Government of India, the only course which this Government should follow is the one followed by the Government of Bengal. Unless this Government do so and thereby convince the Government of India that it is impossible henceforth to raise any more additional money by means of fresh taxation, and that if the Government of India do not give them a portion of the income-tax the reserved and transferred departments of this Government could not be run smoothly, unless the Government take up such a bold attitude, and indirectly refuse to pay the Government of India a portion of the income-tax there is absolutely no hope of the Meston settlement being modified in favour of this presidency. Even looked at from this point of view, to tax ourselves more under the guise of the Court-fees Act is practically to shut out any hopes of the revision of the Meston settlement. In this connection I feel it my duty on account of certain expressions that have been used by some members of the opposite side to speak on behalf of the Swaraj party. It is not a part of the Swaraj party's policy not to vote for any taxation proposals at all. I say this with a full sense of my responsibility. As the honourable House will recollect, in a previous session when the totalisators bill came up for discussion, numerous amendments were suggested by the members of the Swaraj party to increase the tax. There was one amendment in my name to the effect that instead of 4 per cent. the tax should be raised to 10 per cent. The Swarajya party is for taxing luxury and vice. But surely it will decidedly set its face against any proposal to tax the necessities of life or to unduly burden the already over-burdened back of the ryot.

Lastly arises Sir, a question, which cannot be lightly brushed aside by the representatives of the people, whether it would be wise on their part to put any additional money into the hands of the Government when it is not made responsible to their voice and will.

I thoroughly understand the relations which should really exist between the people's representatives and the administrators, and I accept the two

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principles which the Honourable the Finance Member stated the other day. But he forgot to mention the important fact that while these principles hold good in a country which is completely autonomous, they cease to carry any value when the servants of the people are the absolute masters of the situation. It is an aspect of the problem which the Honourable the Finance Member has very conveniently ignored. On all these grounds I oppose strongly the first reading of the bill.

MR. A. MONTGOMERIE : Sir, the speech by the honourable member the leader of the Swaraj party has once again led the discussion back to a footing of reasoned argument. He has dealt with what is really the question before the House : " Is taxation necessary " and in a secondary degree the question " is this a proper form of taxation ? " These it seems to me are the only questions we have before us. Now, I do not think it can be denied that there is and will be for some time a gap between our revenue and our expenditure, unless our revenues expand or our expenditure diminishes. I believe this to be a sound proposition. If the honourable members are able to show reasonable forms of retrenchment no one will be happier than those on this side. (Hear, hear). Unfortunately so far we have had none. The only definite suggestion we have had for retrenchment is from the honourable member for Bombay North for abolishing the Governor, the members of the front Government bench, and all the ordinary concomitants of dignified Government. It is true that Government can exist without decency and dignity. It is possible that a Government might exist without decent homes for its Governor to entertain the citizens of Bombay in. All that is possible.

The Honourable the PRESIDENT : I hope the honourable member will not bring in the name of the Governor.

MR. A. MONTGOMERIE : I am only bringing in the various suggestions which are made for retrenchment. I am not an expert to deal with the question of whether it is better for us to dissipate our balances before the next election. We have balances which can be expended it is true and no doubt the representatives who are to go before the country would like to leave the question of taxation to their successors. I suggest that we should face the problem. If the gap is not filled by taxation, then it is to be filled by retrenchment and speaking for the three Departments of which the Home Department is in charge—the Police, the Administration of Justice and the Jails—I can only say that I have no hope whatever of any retrenchments. I take first the Police. Severe economy was imposed on the Police Department some years ago. That economy was made compulsory by the acceptance by Government of the cut and the Department was not consulted beforehand whether it could with due regard to efficiency meet that cut. The cut was made and it was met in a certain way. We cut out a number of police outposts and we reduced a number of police. We were only able to do so by retaining a sufficient reserve at Head Quarters. If for instance the honourable member the leader of the Swaraj party or the occupants of the lonely furrows of the Liberal Party are able to sleep peacefully in

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their beds at night it is because they have got sufficient police in Poona and Nasik. The same is not true of the districts, where the villagers are crying for more police protection; their lives and property are not safe and any further cut imposed on the Police Department would inevitably have to be at the expense of the Head Quarters. Not a single policeman can be cut from the villages. They have to be cut from the headquarters. Perhaps then Poona which has been properly patrolled and in which crime at present is at a minimum may give vocal expression to this complaint. If we do not take out the police from Poona we shall have to cut them out from Bombay.

Mr. V. R. KOTHARI: On a point of order. Are we dealing with the police?

The Honourable the PRESIDENT: We are dealing with the question of imposing additional taxation. It has been argued that there is no case for additional taxation, but that there is enormous room for retrenchment. The honourable member is replying to that argument, pointing out that so far as the Departments which are under his charge as Secretary there is no room for retrenchment.

An Honourable MEMBER: Then each Government member will speak about his particular department.

The Honourable the PRESIDENT: Honourable members are aware that there is a rule for closure.

Mr. A. MONTGOMERIE: I do not desire to take up your time very much further. Bombay of course is better policed than anywhere else in the presidency, and Bombay city is therefore the easiest place in which to effect retrenchment in the police. In that case we would again expect to hear the outcry about the Pathan menace and things of that sort in this Council. The only method of effecting retrenchment in the administration of justice is the abolition of Judges, for example the removal of a Judge from the High Court, the closing of subordinate judge's courts in the districts, the refusal of the extra Judicial Commissioner to Sind. These are not measures which Government would willingly take and they are not measures which I am perfectly sure any member of this Council would dare go home to his constituency and try to defend. If, for instance, my honourable friend opposite, the member from Kaira, went home to his district and explained to the district local board that he was responsible.....

The Honourable Sir GHULAM HUSSAIN: He is not a member now.

Mr. A. MONTGOMERIE: No, of course not. I had forgotten, I am sorry to hurt his feelings. If he went to his district and explained that he was responsible for cutting out the Rs. 50,000 which we pay for the extra police of his district or the abolition of the court at Kaira the establishment of which he so vigorously advocated I think he would get a very poor reception indeed. Jails, of course, I do not mention; people will go to jail no matter what we do. We exercise the greatest economy in feeding them. In these three departments, therefore, there is no room

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for a retrenchment on the reserved side. The inference is obvious. I have shown, I think, Sir, that taxation is necessary. That this is a good form of taxation, a proper form of taxation, is, I think, one of the theses put forward by the honourable member for Bombay University in the Taxation Enquiry Committee's Report. It is admitted that it is a right and a proper form of taxation. We are told, however, we are making enormous profits and some of us were bewildered by the figures given by the honourable member for Surat. However, his figures seem to me to be all wrong. I do not know what profit we make on justice; we are making a certain amount of profit, but I am perfectly certain it is impossible to discover what it is by the easy method adopted by him. For instance, I would mention the amount that Government spends in administering justice on the erection of court-houses, the interest and sinking fund charges on all the buildings which have been erected for the administration of justice. Things like that are all legitimate charges against the administration of justice, and things like that were entirely omitted from the honourable member's calculations.

Once we admit in principle that the smaller forms of litigation are to be omitted from the schedule, as, I think, has been suggested by the Honourable the Finance Member, it seems to me that the schedule as it is put down is a very fair and proper schedule. It does not impose any excessive taxation on suits above, say, Rs. 5,000.

One point that has been taken by various speakers is the discrepancy between the costs of litigation in Bombay and the costs of litigation in the mofussil. That is a long standing grievance. Of course, the statement by the honourable member for Surat that there were no fees on the original side of the High Court was merely a flight of fancy on his part. There are fees, and very considerable fees, and in some cases the fees are very much higher than they are in the mofussil courts. In many classes of suits the fees in the High Court are very much higher than they are in the mofussil. A man may bring a suit in the mofussil for all sorts of matters such as declarations with regard to property—things which can ultimately be valued in money—but the relief can be valued by the suitor at his own discretion. He may even value it at Rs. 10, and he then pays 6 annas on that. That he has to pay in the mofussil. There are many cases in which the fees in the High Court are higher than they are in the mofussil. But, I admit that, on the whole, in the upper range of cases, where the value of the property in litigation can be set down in money, fees in the mofussil are higher than those in the High Court. The Taxation Committee has suggested that the High Court should be moved to alter that, or that the Government of India should introduce legislation for the purpose, and I can assure the honourable members that, if this bill is passed, the Bombay Government will not be backward in moving the Government of India to take steps, if the High Court themselves should prove, I will not say recalcitrant—that word will probably be rejected by the High Court. Of course, there is one point with regard to the mofussil which has to be taken into account, and that is that the bulk of mofussil fees are on suits of small amounts, and on suits of small amounts

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the fees are no heavier in the mofussil than they are in Bombay. It is only in the case of large amounts that they are heavier.

Another point is that in Bombay a large number of the smaller suits are brought in the Small Causes Court. A great deal of the litigation corresponding to the litigation in the second class subordinate judges' courts in the presidency proper is brought in Bombay in the Small Causes Court, where the fees are already higher in Bombay than they are in the mofussil.

Dr. R. P. PARANJPYE : For land suits ?

Mr. A. MONTGOMERIE : Not land suits ; but on all other kinds of suits. Then, of course, there is another point about it, namely, the actual cost of litigation. The honourable member, the leader of the Swaraj party, told us that it cost a man who brought a suit in the mofussil Rs. 100, Rs. 30 or Rs. 40. I cannot quite understand what he was referring to. It certainly is not the court-fee which would cost him Rs. 30 to Rs. 40. He must have been referring to the lawyer's fees. But, in any case, in Bombay it is certain that litigation on the whole is very much more expensive than in the mofussil, owing to the very much larger lawyers' fees which have to be paid. It is true that Government does not get any benefit, except in the way of income-tax, out of this, but that is a very great difficulty in imposing extra taxation on Bombay.

I do not think I need deal with any of the other arguments which were produced, as I am afraid I was unable to discover any force in any of them.

An Honourable MEMBER : I move for a closure.

The Honourable the PRESIDENT : There are still eight honourable members who wish to speak on the bill, and it is a taxation bill. I cannot accept the closure now.

Mr. D. B. ADWANI (Karachi City) : Sir, the honourable member, the Remembrancer of Legal Affairs, told us that this matter is before the Legislative Assembly, and that, therefore, this was the proper time for us to express an opinion on the point ; and he pointed out that the Government of India wanted the opinion of this Legislative Council. But what we are now engaged on is legislation ; and it seems to me that if we pass any legislation on this question now, we will be forestalling the Legislative Assembly. The very fact that the question of probate fees is before the Legislative Assembly and that it is a case for all-India legislation is, in my opinion, a ground for us to postpone legislation in this respect, and I think, Sir, the honourable member has rather been speaking on behalf of the opposition rather than in favour of this bill.

With regard to the deficit, of which so much has been made, I should like to call the attention of the House to what the Government of India did in similar circumstances, when they were faced with deficits. From the year 1918 there were deficit budgets of the Government of India. There was a deficit of Rs. 6 crores in 1918-19 ; there was a deficit of Rs. 24 crores in 1919-20, and there was a deficit of Rs. 26 crores in 1920-21. For several years, the budgets of the Government of India were deficit

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budgets; but all the same, they did not precipitately come to the Legislative Assembly for additional taxation. It was not before 1922 that they proposed some additional taxation, but on account of the years of depression the proceeds of that taxation did not come up to expectations, and there was a deficit in the revised budget of that year of Rs. 33 crores. It was then, as honourable members are aware, that the Government of India came forward with their proposals for enhanced duty on imported cloth and enhanced excise duty. But what reply did the Assembly give? The Assembly stoutly refused to sanction any measure for additional taxation under these heads even after five years of deficit budgets. And what did the Government of India do under those circumstances? They appointed the Incheape Committee, and as honourable members are aware, the Incheape Committee produced a report showing a cut of over Rs. 19 crores. The Government of India seriously took into consideration the Incheape Committee's Report, and actually brought into effect a cut of more than Rs. 12 crores in their actual expenditure. I desire to ask the Honourable the Finance Member, if, in similar circumstances, the Government of Bombay have made any serious attempt to make a cut similar to that made by the Government of India. The reply would be, no. As a matter of fact, however, as some honourable members have shown, and as we will be able to show during the course of the voting of the grants, large cuts are possible.

Sir, the other point which I desire to make is that the times are very bad, and the Government of Bombay has chosen an inopportune moment for the enhancement of this tax. Times are bad not only for the poor but also for the rich, and I am aware of many cases, that have come within my own personal knowledge, of well-to-do people who have been quite unable to pay even the present court-fees. I know of cases in which they have had to borrow the amount of the court-fees at very heavy interest. In the present circumstances, the business men are more hard hit than the average middle class man. I know of a case in which a certain contractor had to pay 15 per cent. on the sum he had to borrow for the cost of a suit. The suit was for about Rs. 10,000 and he had to pay 15 per cent. interest. Not only that, but he promised to pay about 20 per cent. of the realisation from the suit to the lender of the money. That was really exorbitant, but the man had no choice in the matter. It is well known that under the present circumstances rich and poor alike are quite unable to pay even the present court-fees; and any enhancement should, therefore, be out of the question.

Then, Sir, the Honourable the Finance Member referred in his budget speech, and I think in his reply also, to the question of the Famine Fund, and he said that we had to fork out nearly Rs. 63 lakhs for the Famine Insurance Fund, under the Devolution Rules. I quite realise that. But what prevented the Government of Bombay from getting an alteration of this amount? If it was possible for the Government of Bombay to get the Government of India and the Secretary of State to sanction a sum of Rs. 10 lakhs out of this fund annually for interest on the Lloyd Barrage,

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in a similar manner, since the Famine Insurance Fund had mounted up to such a high figure, it would be quite possible for the Government of Bombay to make a serious attempt to get a reduction of the annual contribution of Rs. 63 lakhs which they have to make to the Famine Insurance Fund.

Under these circumstances there exists no cause whatever for any additional taxation, and I, therefore, oppose the first reading of the bill.

Rao Sahab D. P. DESAI (Kaira District) : Sir, I oppose the bill. The chief argument advanced by the Honourable the Finance Member is that of the decreasing value of the rupee. I am sorry to say that the Honourable the Finance Member, who has had such a large experience of the administration of the presidency, should have fallen into this error. Generally speaking, Governments have short memories, and the Honourable the Finance Member, having such a large experience of the administration of this presidency, should not have fallen into that error. He knows that the court-fees were at the present level when the rupee was 1/2d. Again, Sir, the mints were closed, and the rupee was thereby artificially raised in value, and the pity of it was that the poor agriculturists had to pay in assessment and to their creditors an amount of money which had increased in value. Then again, revisions of assessments took place, and that was an additional burden thrown on the agriculturists of the presidency. Again, if he looks to the recent times, he will find that the rupee has again been raised to 1/6d., and the pity of it is that the assessments as well as the debts of the agriculturists have automatically been raised by 12½ per cent. Of one co-operative society when I inquired into its affairs some time back, I found that simply due to exchange that co-operative society of agriculturists was annually incurring a loss of Rs. 1,20,000. How can, under these circumstances, Government base their arguments on the decrease in the value of money? To my mind, Sir, though the Home Secretary appears to be rather pessimistic on the point of retrenchment, I am not at all so on that point. It is possible, and if honourable members of Government can only look into the past 10 years' history, they will find that in police alone since 1918-19 we have increased our expenditure to the extent of 55 lakhs of rupees. May I ask the honourable the Home Secretary whether this presidency has made that progress, that prosperity which entitles it to have an increase of 55 lakhs of rupees in police charges alone? My honourable friends from Bombay will say that at that time there were dacoities going on in Bombay and that expenditure was necessary. But I should think that before 1918-19 when the expenditure on police was exactly 55 lakhs less, why should Government have increased it since 1918-19 by such a large figure?

Take for example the department of my honourable friend, the Honourable the Revenue Member. He, too, unfortunately since 1918-19 has been responsible for an increase in expenditure to the extent of about 70 lakhs of rupees. In 1918-19 the expenditure under Land Revenue was 1 crore 2 lakhs of rupees but now it is quoted as 1 crore 73 lakhs of

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rupees. Now all that increase has gone, I know not where. I think, Sir, if you leave it to the House they will give you more than what court-fees will give. If you allow retrenchment which this House will propose, we will be able to give you a budget which will leave to you handsome balances to be used for the nation-building departments.

The general administration, I am sorry to say, Sir, from only 17 lakhs within these last 15 years or so has gone up to 1 crore 28 lakhs of rupees. This presidency is poor and it cannot bear this extravagance on the part of Government. They must before bringing any fresh proposals of taxation always look to all the possibilities of retrenchment, and they can very well retrench by coming down as they have went up, and if I remember right, one of our former finance ministers himself assured the House that whenever time comes expenditure on administration will be reduced, but unfortunately what we are finding at present is that new and fresh proposals such as the Lee Commission proposals and similar other proposals are brought in this House. Under these circumstances I do not think our presidency by passing such bills would prosper but that such extravagance in our finances will bring Government to what we may call ruin. Now my honourable friend, the Remembrancer of Legal Affairs, has stated that the present scale of fees is graduated against the poor. I was reminded in this connection of what happened as regards our Land Revenue assessment. In that system there was what we call caste vigoti assessment. That is, the assessment paid by those people who were a skilful class of cultivators was heavier than on others. Now in the first revision Government acknowledged that they were doing injustice to intelligent castes by increasing the assessment paid by them and at the same time they could not forego the revenue by decreasing this tax on labour and skill, so they made up the inequality by raising the tax on the poor. Here my honourable friend, the Remembrancer of Legal Affairs, wants to increase the court-fees by graduating the tax against the rich, so that it would fall unequally and they leave the inequality to be made up at a future date by taxing the poor. But I should like to tell him that the whole Court-fees Act itself is telling hard on the people and that instead of equalizing the court-fees by increasing the tax on the rich, Government ought to decrease the court-fees on the poor and thus should make the inequality in the tax disappear. What I fear is that if we allow the court-fees to be increased, we will be perpetuating the same difficulties and some day the Government might have to come to this House and say that they may be increased in the case of the poor just as at present they are trying to have the land revenue increased. So under these circumstances we should not fall into the snare, because in the case of the land revenue system we have already fallen into the snare and there is no reason why we should fall in another snare as regards these court-fees.

Mr. LALJI NARANJI (Indian Merchants' Chamber) : Sir, it is not a little disappointment to this House to find that they have already voted one measure to continue a tax and this has encouraged the Honourable the Finance Member to bring in another measure. I will remind the



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Honourable the Finance Member of the conditions of the world that the whole world is decreasing taxation and at that period he is bringing forth again before this House this measure because he finds that this is a suitable House for fresh proposals of taxation. Would it ever have been possible for him to bring fresh proposals of taxation and to get them passed if the present House had not been a suitable House for him? I ask him whether it is only an encouragement to him to bring proposals of taxation because he thinks that the House is a suitable one. I will remind the Honourable the Finance Member that we look upon the finance department to balance the budget not by bringing any money by taxation but by withholding payments when they are proposed, after examining his purse. He referred to several demands that are made to him by the several departments, but I would certainly point out to him that it is his duty to stop such departments from spending if he cannot stop it, but to go on sanctioning payments by proposals of fresh taxation is no credit to the finance department of the Bombay Presidency. I will refer to the examples that are quoted by the honourable the Legal Remembrancer about Bengal and Madras as regards the Courts-fees Act. As pointed out by the honourable member Dr. Paranjpye the circumstances of this presidency and those of Bengal and Madras are not similar. While making his proposals for this fresh taxation the Honourable the Finance Member has pointed out that we are coming in line with the other provinces in this tax. I will refer to one matter which is important in comparing similarity to our case and that is how the finances of Bengal, Madras and Punjab are faring. To-day the Government of India have announced their budget and what do we find there? The Honourable the Finance Member may expect so many things from this presidency by taxation but let him see how we are treated by the Central Government, because that Government finds that the Honourable the Finance Member of this presidency is rich enough to exact money from this House and this House has been willing to vote for taxation. How are they treating us? They are treating us with a surplus by distributing to all the presidencies under the Devolution Rules and in that distribution what do we get? We get nothing but indirect assistance to our industry by the abolition of the excise duty. Now it is not only Bombay alone that is concerned with this excise duty. The other presidencies also have got textile mills though Bombay contains no doubt more mills and the textile industry is giving employment to nearly 2½ lakhs of men. But why should Bombay only be penalized by having a less portion from the distribution of the surpluses of central Government. It is simply because the Imperial Government have seen that the finance department of this presidency has been able to meet its expenditure by proposing measures for fresh taxation by the willing House of this Presidency. Sir, in the Central Government budget the balance of one crore 25 lakhs is divided as follows: 57 lakhs will go to Madras; 33 lakhs to the United Provinces; 28 lakhs to the Punjab and 7 lakhs to Burma. The total amount available for provincial contribution is 9·83 crores out of which they have made proposals to reduce to the extent of 4·83 crores to

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be distributed to all the provinces except Bombay in two years. Last year only as a matter of grace Bombay got 22 lakhs remitted and not as a right. Remission to Calcutta is countenanced because Bengal will not tax themselves further. Because this Council is willing to tax itself easily, they have not given any contribution to this Government. This House must take into consideration the fact that in 1922 it refused to sanction the taxation proposal unless a cut of 60 lakhs in the expenditure was made. At once a cut of 60 lakhs was accepted by Government. When we raised the question of retrenchment the honourable member the Secretary for the Police, Judicial and Home Departments, asked to make definite proposals for the same. I will suggest retrenchment if the whole expenditure of this presidency is made subject to the vote of this Council. Out of the revenue of 15 crores we have no voice practically on nearly three-fourths of it. It is a mere farce to say that this House has the right to vote on the budget. During the last five years this House has voted taxation to the extent of 2 crores of rupees, of which 96 lakhs have been spent on nation-building departments. The remaining one crore has disappeared. If every pie is made votable by this House such a state of affairs would not have happened.

I will come next to the most important point. The Finance Department of this presidency has entirely failed to do its duty. It is that department which has left this presidency to go into the mire of the development which they want persistently to continue in spite of public protests. If they had been careful about the source of income and expenditure matters would not have come to this pass. Because they find it possible to get taxation proposals passed by this House, they are encouraged to go on with the extravagant expenditure. If all interests unite in this House and refuse to vote for fresh taxation, they will not be encouraged to go on as they have been doing. It is a very painful thing if this House passes a taxation bill to meet the deficit while the other provinces have presented surplus budgets. If this House passes this bill it will be saddling this presidency with a fresh great loss and it will encourage the Government to go on doing things in their own way.

Mr. NOOR MAHOMED (Hyderabad District): Sir, during the last two days we have been hearing speeches in favour of advancing education among the backward communities and the money required for that purpose. It is all the more painful for us from Sind to hear that all this taxation is meant for the advancement of education among the backward communities, whereas really nothing is being done to promote education among them. I myself belong to that community I know where and how the shoe pinches. But, Sir, I do not wish to be understood to say that nothing at all is being done for the advancement of education among the backward communities. All that I wish to say is that enough has not at all been done for the backward communities to encourage us to vote for this taxation bill, because we have not the confidence that this money will be utilised for the education of the backward communities. I am very sorry that the Honourable Ministers for Education and Local Self-Government have taken upon themselves the

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responsibility to inform this House that this money will be spent for the education of the backward communities. I hope they have realised the responsibility they have undertaken in creating that impression.

Sir, the honourable member the Home Secretary said that any further retrenchment was impossible. I will suggest to him where retrenchment can be effected. In Sind there is one Deputy Inspector General. He had only one head clerk before. Now, he has got a Superintendent of Police as his personal assistant with a huge establishment. Then there is too much of Criminal Investigation Department Police in Sind. There is no Khilafat movement, nor non-co-operation movement, nor Bolshevik movement. Here retrenchment can safely be made if Government wants more money. I next take the case of *S. S. Jhelum*. The money to the extent of Rs. 11,000 wasted on this can be saved. Then take the Public Works Department. There are what are called the Mukadams. They are supposed to supervise canals : but most of them are actually employed to keep the gardens of the Public Works Department bungalow. A great deal of retrenchment is possible there. Moreover the Government have not given effect to the recommendations of the Retrenchment Committee so far as they related to Sind. A few minor cuts were made here and there, but then those have been restored. Is that retrenchment ? It has been shown, Sir, that Court-fees must be paid by the people. With us Orientals, justice has never been served for payment of money, either in the time of the Hindu Kings or the Mahomedan rulers. If the idea really is to utilise this money in the interests of the education of the backward communities, I do hope that Government will lighten the burden of this taxation on the poor people as much as they can. We are as anxious as they are for the education of the backward communities, and we should do nothing that will deter Government from getting money for education. But that does not mean that we should give a blank cheque to Government and permit them to go on spending recklessly. I speak as a friend—I know I am not taken as a friend by the other side—and I should be very sorry if it should be thought that I am acting against the interests of backward communities. But whatever that may be, I do trust and hope that Government will retrench and save money for the education of backward communities ; and there is plenty of scope for saving, if only the Government wants to do it.

Mr. G. WILES : Sir, I do not know Sind ; but with reference to the honourable member's remark that they had not court-fees in the old days, I am told they had something very different. It was in fact the practice of the old Amirs, who governed Sind before the advent of the British *Raj*, to take not less than 25 per cent. of all moneys deposited in their courts.

Rao Saheb D. P. DESAI : No. It was a small *nazarana* only.

Honourable MEMBERS : Will the honourable member speak louder ?

Mr. G. WILES : If honourable members will keep quiet they will hear me quite distinctly. Sir, first of all I wish to refute the old argument that has been repeated *ad nauseam* that if we pass any new taxation, we

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are not going to get the Government of India to interfere with the Meston settlement. I say there never was so absurd an argument as that we are going to have any effect on the Meston settlement by refusing to tax ourselves.

My honourable friend from Bombay has, it would appear to me, made it a grievance against this Government that the Government of India have not in their budget, which has appeared to day, given Bombay anything. I say give the devil his due. The Government of India are following the Meston settlement, and so long as the Meston settlement has the authority of Parliament, it is the duty of the Government of India to follow it.

With regard to the necessity of taxation, I do not intend to repeat any of the arguments which I have advanced before during the budget discussion. On the merits of the bill, it cannot be argued, I think, that the rates which are now proposed are in any sense oppressive. They have been approved by the High Court themselves. The High Court, as we have been told, have set their heart against excessive cost of justice, but the High Court themselves have approved these rates. So far as they apply specifically to the agriculturists, the Honourable the Finance Member gave us an assurance that that question would be considered when the bill went to the select committee. Government are anxious to do nothing to put any oppressive taxation on to the agriculturist. I see here before me an amendment tabled by the honourable member Rao Bahadur Kambli suggesting that the existing rate shall be retained where the subject matter does not exceed Rs. 5,000. I have the authority of Government to announce that Government will accept that amendment if it is put before the select committee. That, I think, Sir, will effectually dispose of.....

Mr. G. I. PATEL : Sir, I rise to a point of order. Can the honourable the Finance Secretary make a reference to an amendment which has not yet been placed before the House ?

The Honourable the PRESIDENT : I do not see what the point of order is. Government benches are entitled to say to what extent they will modify the present bill if it receives the sanction of the House. I do not see what point of order there is in it.

Mr. G. I. PATEL : He made a pointed reference to an amendment to be moved henceforth by the honourable member Rao Bahadur Kambli, and after making reference to that amendment, which is not before this House, he gave an assurance that he is prepared to accept it.

The Honourable the PRESIDENT : Notice of that amendment has been received.

An Honourable MEMBER : Is it before the House, Sir ?

The Honourable the PRESIDENT : It is not before the House, but honourable members are aware that it is coming before the House. I do not see any parliamentary bar to a reference to any amendment that is going to be considered hereafter.

Dr. M. K. DIXIT : Is it not likely to affect the voting on this bill ?

The Honourable the PRESIDENT : Every offer of a compromise has that effect. I should like to ask whether it would not be open to any non-official member to say, when Government propose a tax of 4 per cent., that he will vote for it if the tax is reduced to 2 per cent. Would that be out of order ? Similarly, it is not out of order for Government to offer a compromise. Government can say that they intend to act in a particular way as a compromise after they receive a majority vote. I do not see where the point of order arises.

Mr. B. G. PAHALAJANI : The point of order that I will place before the Honourable the President is this.....

The Honourable the PRESIDENT : Is it a new point of order ?

Mr. B. G. PAHALAJANI : In connection with this a new one. At the first reading there can be no amendment of detail. This is an amendment which cannot even be put before the House now.

The Honourable the PRESIDENT : The honourable member the Deputy President ought to know that this is a speech on the first reading, and it is perfectly open to any honourable member sitting on the official side to say that if it goes to a select committee Government would accept a certain amendment. That is what the honourable member the Finance Secretary has said. Similarly it is open to the honourable non-official members, and especially the leaders of the several parties in the House, to say that their party would vote in a particular way if certain concessions were made. I do not see how a point of order arises. I personally do not see what point of order there is in it.

Mr. G. WILKS : I am reading from a copy of an amendment of which notice has been given and which has been distributed to honourable members.

"Substitute 'Existing rates shall be retained where the subject matter does not exceed 5,000 rupees' for the rates mentioned in the said table in case of subject matters or values up to and inclusive of Rs. 5,000."

I have the authority of the Honourable Member to say that we are prepared to accept this.

I come now to the views which have been expressed on behalf of the Bombay Chamber of Commerce by Mr. Abercrombie. He has told us that there are signs of returning trade in the country, and that his Chamber is anxious that nothing should be done to hinder it. He has given us a vague generalisation which is difficult equally to defend or to oppose. All taxation must as he says ultimately be paid by the consumer. He has told us that the Chamber of Commerce are investigating the comparative cost of port charges and asks us whether Government have considered this aspect. I must point out in the first instance that this bill is not a discriminating bill against Bombay. The rates will apply equally to all ports in the Presidency and all ports which are affected are equally affected. There is no discrimination against Bombay, so that the relative cost of port charges does not enter into this question at all. He has told us that in the opinion of the Port Trusts our budget is too pessimistic. That I submit, Sir, is a matter of opinion. I have given

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my opinion at some length on this question which I am anxious not to repeat. We have a deficit of 60 lakhs in the revenue side. There is also a deficit of 20 lakhs in the Debt Heads side of the budget, and I have told the House that this 60 lakhs will probably be increased to 76 lakhs on account of further loss in the excise revenue. It is difficult to understand in these circumstances how we can make our budget more optimistic.

I pass now to say a few words about the contention that we are making a profit out of the administration of justice. The honourable the Home Secretary has already referred to this question and I desire only to add to that by quoting from the report of the Taxation Inquiry Committee. They have said :

" that the question whether the court-fees should be so fixed as just to cover the cost of courts or whether it is proper for the State to make a profit out of the service it renders is a very vexed one."

They go on to argue the question and they come to the following conclusion :

" Having regard to all these considerations the Committee are of opinion that while the pithing of the scale of fees so as to produce a revenue just sufficient to cover the cost of administration is an ideal to be aimed at, financial considerations may justify the State charging something more, provided that the fees charged are not such as to cause substantial hardship to any class, and particularly the poorer litigants."

This is the opinion of the Taxation Inquiry Committee and they go on to show how difficult it is to arrive at the cost of administering justice. I have explained how in this bill we are prepared to exempt poor litigants from enhanced taxation. The honourable member for Surat while arriving at the figure of 22 lakhs profit has as the Home Secretary pointed out omitted certain items of expenditure from consideration. I desire to add to this that the whole of the pensionary charges are excluded also. Eleven lakhs of the 22 are fines in criminal courts, the costs of which are not included in the administration charges of the Law Courts and another 12 lakhs is probate duties, which are not properly speaking court-fees at all.

The honourable member for Bombay has again in his attempt to be vehement and forcible as usual proved inaccurate. I will refer to one or two of his statements. Twelve lakhs are not spent on Government House Staff. If you will refer to page 76 you will see that it includes the salaries of the Executive Council and the cost of the Governor's own salary. It is said that our interest charges on the Development Department amount to 67 lakhs paid from revenue. The amount we pay on behalf of the Development Department from revenues is 18 lakhs. This appears in the budget this year for the first time. As I have often said before the interest on the Development Loans is met from loan in the first instance, and does not fall on general revenues. The honourable member said that if we were to stop the development immediately we will be able to save 67 lakhs. The immediate stoppage of the development will not effect a saving, or make the budget meet. On the contrary we shall be doubling our deficit, for the interest charges would at once become a burden on the general revenues.

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The honourable member Dr. Paranjpye—I regret to see he is no longer with us—has not adduced a single valid argument against the passage of this bill. There is no reason why we should not pass this bill while taking up the recommendations of the Taxation Inquiry Committee in due course. On the question of probate which we regard as of the greatest importance (the principle I may mention incidentally has been accepted by the Chamber of Commerce who have agreed that a death duty is a good form of tax) the honourable member has complained against it on the ground of its unequal incidence. But its unequal incidence has not been complained against by the Parsis or Europeans on whom it particularly falls. I see time is getting short, Sir. I will not say anything more.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to oppose the first reading of this bill and in doing so I shall not travel beyond the facts that are mentioned in the Statement of Objects and Reasons. We are told that Government feel it necessary to increase the court-fees because they were so inadequate that they led to the abuse of judicial facilities. I think the plain meaning of that sentence is this: that because judicial facilities are very cheap, therefore people take undue advantage of it. That is, they gamble in litigation. Well, Sir, I do not want to controvert that point. Whether it is right or wrong I leave it to this House to consider, but the point to which I beg to draw the attention of this House is this, that if you increase the cost of litigation then the good will suffer equally with the bad. If Government want to penalise the bad people certainly let them do so. But in doing that they are unfortunately penalising the just and the good. That sort of procedure is certainly reprehensible. Suppose, if Government being unable to give protection of property against thieves, were to pass an order that no person should hereafter hold property, what would be its consequence? Similarly in this case because bad men abuse legal processes, therefore Government are going to deny justice to the good and innocent by making it dear. For this reason, I think the remedy that is suggested is a vicious remedy and should not command the support of the House. Now let us take another point, namely that the fee should be increased in consequence of the decreased value of the money. Sir, this allegation also is fallacious. May I just remind the honourable the Finance Member that money to-day is not quite so depreciated as it was in the year 1922? If it is not quite so depreciated, then there is no good reason for increasing the fee in the same proportion which was laid down in 1922. I have not the Government of India tried to take the necessary measures for the deflation of currency? In 1922 or thereabouts gold was sold at Rs. 25. per tola. Is it sold at the same rate now? You get it now for Rs. 20 a tola. Taking another instance, in that year 3½ per cent. Government paper was sold at Rs. 58 or thereabouts, but to-day the price is about Rs. 71. Does that show that there is depreciation of money to the same extent which prevailed in 1922? For this reason, as there is no depreciation of money, I do not think Government have given any valid

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reason for our consenting to the proposal which they have placed before us. Again the last two sentences of the statement of objects and reasons say :

"The amendment in sub clause (b) is intended to provide against under valuation of the suits mentioned in clause (i) of section 7 of the Act which exists at present with consequent loss of revenue. Sub-clause (c) amends the proviso to section 7 (c) so that the amounts payable may bear a better approximation to present day value of land."

The Honourable the Finance Member wants us to believe that lands have appreciated in value, but what do the Government reports show us ? I am reading an extract from the Report of the Registration Department for the year 1921, on page 1. It says :

"No doubt, the inflation of values reached its high point in those areas (Bombay City, suburbs and several other districts) and the reaction is now severe. The value of immovable properties effected by documents in Bombay has declined by 25.58 per cent. As a result of this, the total value of immovable property affected in the Presidency has declined by 10.64 per cent in spite of the rise in the number of registrations."

These remarks go to show that the value of land has not increased, but has considerably decreased. If the value of land has decreased, it necessarily follows as a corollary that the reason given by the Honourable the Finance Member for increasing court-fees does not hold true.

Then, Sir, apart from the merits of this money bill, let me state that the non-Brahmins have a grievance of their own as regards the admission of their members into the sub-judiciary. Sir, this grievance has not been removed. We require only justice. We do not require any kind of patronage. If Government expect us to be satisfied with patronage and not recognise the justice of our claim, I most humbly warn them that they are calculating. The non-Brahmins represent the proletariat ; they represent the masses, and if they are asked to forget their self-respect Government will one day be sorry for having done that.

MR. S. A. SARDesai (Bijapur District) : Mr. President, in the name of the agricultural classes of this presidency, and especially those of my own district of Bijapur, I strongly oppose the first reading of this bill. In doing so, as the time at my disposal is limited, I will be very brief in my remarks. Of course, it is laudable to us that our country should be compared to England provided the corresponding benefits for this country should be made available compared with those of England. (Of course, as has been explained by Dr. Paranjpye, the British Parliament was taxing the country year after year, until later on it commenced to tax the country permanently, as the whole country became amenable to the influence of Parliament.

Some of the honourable members have compared this presidency with Bengal. Of course we know that there is a permanent land revenue settlement in Bengal, and that sort of comparison does not hold good in a matter of this kind. It has also been pointed out that the Entertainments Tax which was to be earmarked for education has not been earmarked for education. Although the expense on primary education has been increased by 3,37,000 that sum is quite inadequate, as I pointed out in my budget speech, considering the urgent necessity of this presidency for free and compulsory primary education. Taking into consideration the



[Mr. S. A. Sardesai]

post-war conditions, I am very sorry to say that the financial stringency throughout the whole of this presidency is so very great, that it does not justify the introduction of such a tax. I am sorry to say that there are a good many officers in the Police Department who have been taking Government salary and doing nothing, and if a reduction in the number of these people is made, it will highly benefit the finances of the presidency. As regards reducing the deficit, I have proposed several methods, and this subject has been discussed in this House in all its aspects.

There is one aspect from which I wish to discuss this subject. I think this system of giving justice introduced into this country is merely an imitation of the system of foreign countries, which have far advanced. What was the state in ancient India? There was a panchayat, and it was invested with civil and magisterial powers. I would ask Government to take the advice of persons like Dr. Besant and others who have been advising Government persistently to revive the panchayat system, which will be a very cheap system of giving justice to the people.

Of course we have been told in the statement of objects and reasons that the revenue levied under the present court-fees is not enough to cover the expenses of the services which the Government have been giving to the people, which is true no doubt. But they should take into consideration the post-war effects which have been telling upon the people of the whole of this presidency. My constituency strongly warned me to oppose the bill, and I appeal to honourable members, both on the official and non-official benches, to consider once more before pressing for passing this bill, and especially I request the non-official benches to throw out this bill even before it completes first reading. With these few remarks, I resume my seat.

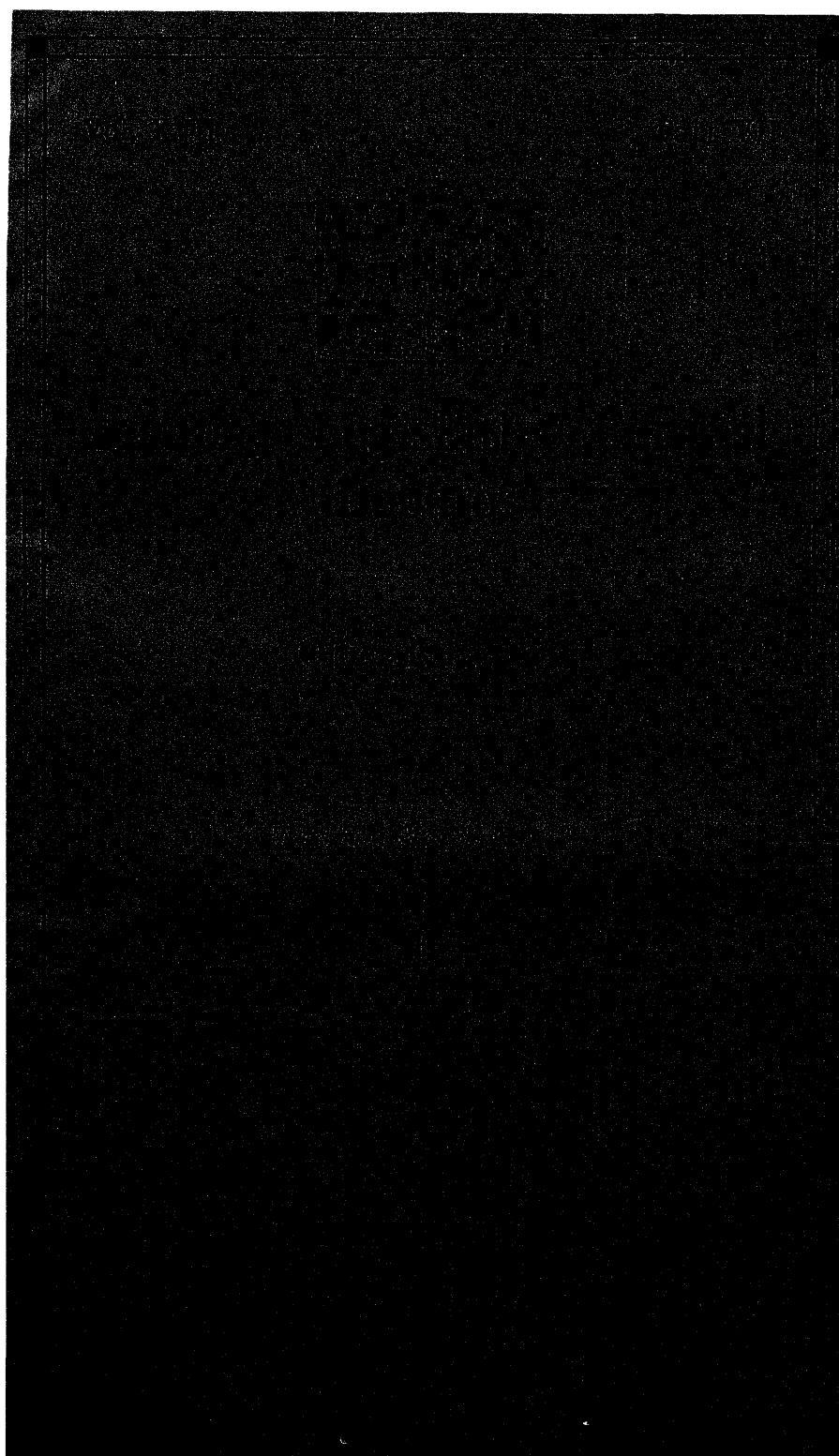
The Honourable the PRESIDENT: Before I adjourn the House I should like to inform honourable members that the Thakor Saheb of Amod has presented to the Council a bust of His Majesty the King-Emperor, and that His Excellency the Governor is coming here to unveil it at 3-30 p.m. on the 5th instant. I hope honourable members will be present on that occasion.

The House will now adjourn to 2 p.m. to-morrow, Tuesday, the 2nd March 1926.











*Tuesday, the 2nd March 1926.*

The Council re-assembled at the Town Hall, Bombay, on Tuesday, the 2nd March 1926 at 2 p.m., the Honourable the President, Sir IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E., presiding.

*Present :*

ABDUL LATIF HAJI HAJRAT KHAN, Mr.  
ABERCROMBIE, Mr. J. R.  
ADDYMAN, Mr. J.  
ADWANI, Mr. D. B.  
AHMAD, MOULVI RAFIUDDIN  
ANGADI, Mr. S. N.  
BHOPATKAR, Mr. L. B.  
BHURGRI, Mr. J. M.  
BHUTTO, Khan Bahadur S. N.  
BOLE, Mr. S. K.  
BUNTER, Mr. J. P.  
COOPER, Khan Bahadur D. B.  
DABHOLKAR, Sir VASANTRAO A.  
DADACHANJI, Dr. K. E.  
DALVI, Mr. B. K.  
DEHLAVI, the Honourable Mr. A. M. K.  
DESAI, Rao Saheb D. P.  
DEV, Mr. S. S.  
DIXIT, Dr. M. K.  
FERNANDEZ, Dr. COSMAS  
FRAMJI, Mr. K. S.  
GHOSAL, Mr. J.  
GHULAM HUSSAIN, the Honourable Sir  
GUNJAL, Mr. N. R.  
HAJI ABDULLAH HAROON  
HAJI KHAMISO GUL MAHOMED  
HAMID, M. ABDUL ALI, Mr.  
HARRISON, Mr. C. S. C.  
HATCH, Mr. G. W.  
HEPPER, Sir LAWLESS  
HUDSON, Sir LESLIE  
JADHAV, the Honourable Mr. B. V.  
JATOI, Khan Saheb HAJI SERAI IMAMBAKSH  
JATOI, WADERO KADIRBAKSH  
JEHANGIR, the Honourable Mr. COWASJI  
JOG, Mr. V. N.  
JOSHI, Mr. P. G.  
KALBHOR, Mr. G. M.  
KAMBLE, Rao Bahadur S. T.

KARKI, Mr. M. D.  
 KHUHO, Mr. M. S.  
 KOKANI, Mr. G. J.  
 KOTHARI, Mr. V. R.  
 LALJI NARANJI, Mr.  
 LAWRENCE, the Honourable Sir HENRY  
 MANSURI, Khan Saheb A. M.  
 MASTER, Mr. A.  
 MAVALANKAR, Mr. G. K.  
 MCKEE, Mr. W. G.  
 MEHTA, Dr. M. M.  
 MEHTA, the Honourable Sir CHUNILAL  
 MONTGOMERIE, Mr. A.  
 MOUNTFORD, Mr. L. J.  
 MUJUMDAR, Sardar G. N.  
 MUKADAM, Mr. W. S.  
 MUKHI, JETHANAND PRITAMDAS  
 NARIELVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NOOR MAHOMED, Mr.  
 OWEN, Mr. A. C.  
 PAHALAJANI, Mr. B. G.  
 PARANJPEE, Dr. R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATEL, Mr. G. I.  
 PATHAN, Mr. A. F. I. K.  
 PATIL, Mr. D. R.  
 PERCIVAL, Mr. P. E.  
 PETCH, Mr. F. W.  
 POWAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 PUNJABHAI THAKERSI, Mr.  
 RAHIMTOOLA, Mr. HOSEENALLY M.  
 RIEU, the Honourable Mr. J. L.  
 SAHEBA, Mr. H. D.  
 SAPTARSHI, Mr. C. M.  
 SARDESAI, Mr. S. A.  
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.  
 SHINDE, Mr. R. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SUBVE, Mr. A. N.  
 SUBVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.  
 THAKOR of Kewada, the  
 THOMAS, Mr. G. A.  
 VELKAR, Dr. M. B.



WEBB, Mr. M.

WILES, Mr. G.

WOODS, Mr. E. E

The Honourable the PRESIDENT Order order Questions

#### TELEPHONE AT SHOLAPUR RAILWAY STATION.

Mr. ABDUL LATIF HAJI HAZRAT KHAN on behalf of Mr. N. A. ABDULPURKAR (Sholapur City): Will Government be pleased to state—

(a) whether they are aware that there is no telephone service on the railway station of Sholapur for the public,

(b) if so, what steps do they intend to take in the matter?

The Honourable Mr. CHUNILAL MEHTA (a) Yes

(b) The question of having a telephone service for the public is under consideration.

#### BRAHMINs IN SIND

Mr. L. B. BHOPATKAR (Poona City): Will Government be pleased to state—

(a) what is the total population of Brahmuns in Sind;

(b) whether it is a fact that they are backward in education;

(c) if so, whether Government have given them the concessions which the backward classes enjoy in other parts of the presidency?

The Honourable Mr. B. V. JADHAV: (a) 23,097.

(b), and (c) The Brahmuns of Sind (as distinguished from other Brahmuns residing in Sind) being backward in education, have been included in the list of "Intermediate" castes for the purposes of special educational facilities and are eligible for the concessions enjoyed by those castes

Mr. P. G. JOSHI If they are backward in education, why should they be included in the intermediate classes? Why should they not be included in the backward classes?

The Honourable Mr. B. V. JADHAV. They are not so backward as the depressed classes.

#### PETITION OF ATMARAM ZIL BHATKAR.

Mr. S. K. BOLE: Will Government be pleased to state—

(a) what action they have taken or propose to take in connection with the petition of Mr. Atmaram Zil Bhatkar submitted to His Excellency the Governor of Bombay on the 4th December 1923 regarding his claims to certain *Khoti* lands in the village of Panhali in the Ratnagiri district;

(b) whether it is a fact that the Collector of Ratnagiri refused to give a copy of the endorsement made by him on the petition of the said Mr. Bhatkar;

(c) whether the Commissioner of the Southern Division has refused to interfere in the matter by his letter No. A.P.S.R.—1511 dated the 30th June 1925;

(d) whether the Brahmin Khot concerned in the matter is also the police patel of the village ?

The Honourable Sir CHUNILAL MEHTA : (a) No petition was received by Government on 4th December 1923 from the applicant mentioned, but one was received on or about 30th October 1923 from him and was returned to him on 4th December 1923 for compliance with the petition rules. A fresh petition in the matter was received by Government on 9th October 1925. Government declined to interfere in the matter of the petition as it is one for the Civil Court to deal with and has in fact been the subject of a suit between the contending parties in the Sub-Judge's Court, Ratnagiri, the District Court, Ratnagiri, and the High Court at Bombay.

(b) and (c) In July 1924 Mr. Bhatkar applied to the Collector of Ratnagiri to restore certain ancestral lands in the village of Panhali in the Ratnagiri Taluka which had been sold in execution of a civil court decree and entered in the name of the purchaser, the khot of the village. On 21st July 1924 Mr. Fox returned the petition in original with an endorsement that the Collector could not interfere as the matter was decided by the civil court. On 20th December 1924 the petitioner resubmitted the same petition to the Commissioner, S. D., who after enquiry, informed the petitioner under his No. A.P.S.R. 1511, dated 30th June 1925, that as the matter had been decided by the civil court the revenue authorities could not interfere. On 13th July 1925 the petitioner applied to the Collector to return his petition bearing the Collector's endorsement of 21st July 1924 together with the documents accompanying it. On 20th August 1925 the Mamlatdar of Ratnagiri returned the documents under the Collector's orders and informed the petitioner that his petition bearing the endorsement could not be returned as it formed part of the official correspondence.

(d) The former Police Patil of Panhali having been found unfit, Balaji Raghunath Joshi (who is the khot concerned in the present matter) was appointed Police Patil on 1st July 1924, he being the only applicant for the post.

Mr. S. K. BOLE : As regards the reply to (d) will Government be pleased to state how Mr. Joshi was appointed ?

The Honourable Sir CHUNILAL MEHTA : Because he was the only applicant.

Mr. S. K. BOLE : Is it not the practice to advertise such posts ?

The Honourable Sir CHUNILAL MEHTA : It is not usual to invite applications for such posts. The applications that are received are considered.

Mr. S. K. BOLE : Will Government be pleased to advertise such vacancies when they occur ?

The Honourable Sir CHUNILAL MEHTA : It is a suggestion for action which Government do not propose to accept because it is generally known that when a post like this is vacant people are not backward in applying for it.

## LUNATIC ASYLUM, AHMEDABAD.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) whether they are aware that in the lunatic asylum at Ahmedabad no treatment of lunatics is done by the medical officer in charge ;

(b) if the reply be in the affirmative, why the patients are not treated for insanity in that asylum (that is, no regular medical treatment is given to the patients),

(c) whether the same policy of not treating patients with curative medicines regularly is being followed in all the lunatic asylums of the presidency ?

The Honourable Mr. B. V. JADHAV : (a) and (b) No. Lunatics in the Mental Hospital, Ahmedabad, are given treatment as required in each case.

(c) The same policy of treating lunatics according to the requirements of each case is followed in all Mental Hospitals

Rao Saheb D. P. DESAI : I wanted to know whether they are given any medical treatment

The Honourable Mr. B. V. JADHAV : Such treatment as is considered necessary in each case is given.

Rao Saheb D. P. DESAI : I never wanted to know whether they were given beating or thrashing or any other treatment I wanted to know whether they were medically treated or not

Mr. G. I. PATEL : Are they given any Allopathic treatment ?

Mr. H. D. SAHEBA : Are the patients given any other treatment except a bromide injection when they grow violent ?

The Honourable Mr. B. V. JADHAV : I am sorry I am not an expert in these matters. So, the House will excuse me if I am unable to satisfy them.

Mr. H. D. SAHEBA : If that is not a place for medical treatment, why call it a mental hospital ? Call it a lunatic detention home.

The Honourable Mr. B. V. JADHAV : If that is the recommendation of this House, then Government will consider the proposal.

## TREATMENT OF PATIENTS IN AHMEDABAD LUNATIC ASYLUM.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) whether any report has been made by the committee appointed to visit the lunatic asylum at Ahmedabad ;

(b) if so, whether the committee have complained about the absence of treatment of the patients in that asylum ?

The Honourable Mr. B. V. JADHAV : The reply is in the negative.

MEDICAL OFFICER IN CHARGE OF AHMEDABAD LUNATIC ASYLUM.

Rao Sahab D. P. DESAI (Kaira District): Will Government be pleased to state the reasons why a medical officer in charge of the asylum is maintained if no regular medical treatment is given to the patients in the Ahmedabad lunatic asylum?

The Honourable Mr. B. V. JADHAV: Lunatics in the Mental Hospital, Ahmedabad, are given treatment according to the nature of each case and the Medical Officer is placed in charge of it because trained observers are required to examine patients on admission, and subsequently to carry out the necessary treatment. The Medical Officers are also responsible for the supervision of subordinates and menials engaged in attending to the welfare of the patients. It is most important that the atmosphere of the treatment should be that of a Hospital and not that of an old 'Asylum'. All modern authorities are insistent on this point, and it is particularly for this purpose that Medical Officers are necessary.

Mr. H. D. SAHEBA: What is the qualification of the medical officer in charge? Is he a hospital assistant?

The Honourable Mr. B. V. JADHAV: If notice of the question be given, I shall find out.

THE TEACHING OF INDIAN MUSIC.

Rao Sahab D. P. DESAI (Kaira District): Will Government be pleased to state—

(a) whether any institution is maintained by them for the teaching of Indian music;

(b) whether any institution of this nature is subsidized by them;

(c) whether any classes are attached to any Government college, high school or primary school for the teaching of Indian music;

(d) if the reply to the above be in the negative, what steps they propose to take for the instruction of students in Indian music;

(e) whether they are aware that in the Baroda State Indian music is taught and encouraged in schools and that there are special schools solely devoted to the teaching of Indian music?

The Honourable Mr. B. V. JADHAV: (a) and (b) The reply is in the negative.

(c) Music is taught in Government secondary schools for Girls and in Government Training Institutions for Vernacular Teachers and Practising schools attached to them. In the Government High Schools for Boys at Bijapur, Sholapur and Nasik local singers are allowed to teach music after school hours to those students who like to join the special classes conducted by them.

(d) While Government are not prepared to start an Institute for the teaching of Indian Music, they would be willing to encourage the establishment of such an Institution.

(e) Government have no definite information.

Rao Saheb D. P. DESAI : Why are not Government prepared to start any institution for music ?

The Honourable Mr. B. V. JADHAV : Because they are not in possession of sufficient funds.

Mr. G. I. PATEL : Does the Honourable Minister know that Baroda maintains such an institution ?

The Honourable Mr. B. V. JADHAV : The reply is given in (e).

Sardar G. N. MUJUMDAR : With regard to (b) the reply given is in the negative. I want to know whether the Poona Gayan Samaj does get anything.

The Honourable Mr. B. V. JADHAV : I think the Poona Gyan Samaj gets something.

Sardar G. N. MUJUMDAR : Why it is not then made mention of here ?

The Honourable Mr. B. V. JADHAV : That is perhaps because the Gayan Samaj is a society. That society is aided by Government.

Sardar G. N. MUJUMDAR : What about the Phil-harmonic Society ? Is that institution helped by Government ?

The Honourable Mr. B. V. JADHAV : It is a society of lovers of Indian music, and that society is helped by Government. But it is not taken to be an institution whose primary object is to give musical education.

Mr. G. I. PATEL : Are there similar institutions in this Presidency which are similarly aided by Government ?

The Honourable Mr. B. V. JADHAV : If notice is given, I shall find out. But as far as I know now, no other society has been aided.

Mr. W. S. MUKADAM : May I know if Government will try to get the information from the Baroda State ?

The Honourable Mr. B. V. JADHAV : It is a suggestion for action.

Mr. H. B. SHIVDASANI : Is the Poona society not an institution for teaching music ?

The Honourable Mr. B. V. JADHAV : Possibly it is not thought so by the department.

Rao Saheb D. P. DESAI : (Inaudible).

#### RETRENCHMENT OF OFFICERS IN THE DEVELOPMENT DEPARTMENT.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) the number of officers and subordinates in the Development Department whose services were dispensed with during the current and the last year owing to want of work ;

(b) the saving effected thereby ?

The Honourable Mr. COWASJI JEHangIR : (a) 37 officers and 340 subordinates.

(b) over Rs. 9,00,000 per annum.

## PHARMACEUTICAL PREPARATIONS IN NASIK DISTILLERY.

Rao Sahab D. P. DESAI (Kaira District): Will Government be pleased to state whether they have considered the advisability of manufacturing pharmaceutical preparations in the distillery at Nasik?

The Honourable Mr. A. M. K. DEHLAVI: The Nasik Distillery has all along been used for the purpose for which it was originally intended, viz., the manufacture of country spirit, and the advisability of manufacturing pharmaceutical preparations therein has not been considered. The question of Government interfering with private enterprise is involved in the consideration of the subject.

Rao Sahab D. P. DESAI: Is acetone manufactured in the Nasik distillery? It was originally intended for the manufacture of acetone.

The Honourable Mr. A. M. K. DEHLAVI: It was taken over from the Government of India by the Bombay Government.

Rao Sahab D. P. DESAI: Was it not the intention of Government at the time of taking over the distillery from the Government of India, to put it to other purposes when prohibition was introduced in this presidency?

The Honourable Mr. A. M. K. DEHLAVI: I am not aware of that. If notice is given, I will find out.

Mr. P. G. JOSHI: May I know whether this distillery is a Government distillery?

The Honourable Mr. A. M. K. DEHLAVI: Yes.

Mr. P. G. JOSHI: I want to know whether any provision has been made in the budget to conduct this distillery.

The Honourable Mr. A. M. K. DEHLAVI: Yes: provision is made.

Rao Sahab D. P. DESAI: Will the Honourable the Revenue Member let the Council know what were the intentions of Government when the Nasik distillery was purchased by Government in about 1922?

The Honourable Sir CHUNILAL MEHTA: The honourable member will find that information in the debates of the Council in 1921.

Rao Sahab D. P. DESAI: Will the Honourable the Revenue Member let the Council know whether he had not entered into correspondence as to whether the Nasik distillery should not be put to other uses than manufacture of liquor?

The Honourable Sir CHUNILAL MEHTA: Some other uses were considered.

Mr. W. S. MUKADAM: What are those uses?

The Honourable Sir CHUNILAL MEHTA: It will take a long time to explain it. But one of the ideas was to supply electric power round about the distillery, and another was to manufacture carbonic acid gas.

Rao Sahab D. P. DESAI: Have Government taken in hand the manufacture of carbonic acid gas or the supply of electricity?

The Honourable Mr. A. M. K. DEHLAVI: No.

Rao Saheb D. P. DESAI : May I know why the distillery has been confined to the manufacture of liquor and not to the supply of electricity or the manufacture of carbonic acid gas ?

The Honourable Mr. A. M. K. DEHLAVI : There are so many difficulties confronting us, and therefore Government have not decided finally.

Mr. W. S. MUKADAM : Have Government finally decided not to make anything other than liquor ? (No reply).

Dr. M. M. MEHTA : What are those difficulties ?

The Honourable Mr. A. M. K. DEHLAVI : The commercial side of it. Government may not possibly be able to cope with the commercial side of it.

Mr. G. I. PATEL : Do Government now accept the principle of considering the commercial side of the question ?

Mr. D. B. ADWANI : Will it be another Back Bay scheme ?

Mr. W. S. MUKADAM : May I know if Government are going to consult experts in this matter ?

The Honourable Mr. A. M. K. DEHLAVI : I have nothing more to say.

#### APPOINTMENTS IN PUBLIC WORKS DEPARTMENT SERVICE

Mr. S. S. DEV (West Khandesh District) : With reference to a question on the point asked by the Honourable Member for Eastern Sind, as given in the Second List of Questions and Answers, dated 21st July 1925.

Will Government be pleased to state—

(1) The names of the eight permanent lower subordinates admitted into the upper subordinate service of the Public Works Department ?

(2) The reasons for admission in every one of those cases, when under the Government of India resolution of 1920, general recruitment from the lower subordinate service to the upper was stopped ?

The Honourable Mr. COWASJI JEHangIR : (1) The following 8 permanent lower subordinates were appointed as upper subordinates :—

Mr. M. G. Purohit.

„ H. G. Nerurkar.

„ S. R. Ghatpande.

„ S. G. Pethe.

„ G. N. Natu.

„ R. A. Kibe.

„ V. R. Hardikar.

„ G. B. Kale.

(2) For their good and loyal services and exceptional merits in some cases.

Mr. R. D. SHINDE : Is it a mere coincidence that all the eight selected are Brahmins ?

The Honourable Mr. COWASJI JEHLANGIR : It is a mere coincidence. It so happened that the first seven were given this preference because they volunteered to serve in Mesopotamia and served there under very trying circumstances.

Mr. R. G. PRADHAN : May I know whether Mr. Ghatpande is a Brahmin ?

The Honourable Mr. COWASJI JEHLANGIR : I will make inquiries if the honourable member gives notice.

#### PAY OF THE HEAD MASTER OF A PRACTISING SCHOOL.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state—

(1) whether they are aware that the pay of the head master of a practising school under the selection grade is Rs. 75 a month ;

(2) whether the pay is pensionable ;

(3) whether it is a fact that such a head master under Government Resolution 2603, dated 28th March 1921, Educational Department, is entitled to get Rs. 30 per month as special pay over and above his pay under the selection grade ;

(4) whether it is a fact that no head master under the selection grade has been given the full benefit of the said Government Resolution up to now.

(5) if so, the reasons ?

The Honourable Mr. B. V. JADHAV : (1) Selection grades have been abolished from 1st March 1923.

(2) In view of the reply to part (1) above this question does not arise.

(3) Under the orders quoted the Head Master of a practising school is entitled to a special pay of Rs. 30 per mensem in addition to his pay according to the revised scales prescribed for primary school teachers, the maximum of which is Rs. 60 per mensem in the Presidency proper.

(4) No.

(5) In view of the reply to part (4) above, this question does not arise.

#### PUBLICATION OF URDU TEXT BOOKS.

Dr. M. M. MEHTA on behalf of Dr. M. K. DIXIT (Surat District) : Will Government be pleased to state —

(a) whether they invited tenders for the publication of Urdu Series of Text Books ;

(b) whether a cash security of Rs. 20,000 was asked for before the contract could be given to any firm ;

(c) how many tenders were received for this purpose ;

(d) whether the contract has been given to any party by now ;

(e) if not, why not ;

(f) why a personal security is not sufficient instead of a cash security ?

The Honourable Mr. B. V. JADHAV : Information is being obtained.



Dr. M. K. DIXIT : May I know from whom the information is being obtained ?

The Honourable Mr. B. V. JADHAV : From the Director of Public Instruction.

Dr. M. K. DIXIT : In view of the fact that this question was asked in the last session, may I know why the information could not have been obtained before ?

The Honourable Mr. B. V. JADHAV : The honourable member had taken the vow of silence last session and we did not expect he would require the answer last session.

Dr. R. P. PARANJPYE : Does the Honourable Minister know what the honourable member was going to do ? The honourable member asked a question and the Honourable Minister is required to give an answer whether the question is asked or not.

MOULVI RAFIUDDIN AHMAD : I want to know whether it is a fact that these texts are lying unprinted for the last two years.

The Honourable Mr. B. V. JADHAV : I have no information.

MOULVI RAFIUDDIN AHMAD : Will the Honourable the Minister make enquiries and let us know the cause why these text-books are lying unprinted.

The Honourable Mr. B. V. JADHAV : I shall try to find out.

Khan Saheb A. M. MANSURI : Is the Honourable Minister aware that a great deal of inconvenience is being felt for want of Urdu text-books ?

Mr. W. S. MUKADAM : May I know whether the department concerned brought the facts to the notice of Government that great inconvenience is being felt ?

The Honourable Mr. B. V. JADHAV : No.

Dr. M. K. DIXIT : When can I expect the reply ?

The Honourable Mr. B. V. JADHAV : I shall get the reply as soon as possible.

#### ALANDI MUNICIPAL SCHOOL TEACHERS.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether it is a fact that the municipality of Alandi in the Poona district have made no payment to their teachers for the last four months ;

(b) whether the educational authorities received any application from the teachers of the said municipal schools ;

(c) whether on receipt of such representations by the educational authorities, the municipality paid only some of the teachers ;

(d) whether the pay of the remaining teachers is still to be paid ;

(e) whether this is due to the publication by Government of the date of handing over charge of the primary education by the Educational Department to the District local boards ;

(f) what action Government have taken in the matter ?

The Honourable Mr. B. V. JADHAV : (a) The Municipality did not pay its teachers for the months of May, June and July, 1925, till about the end of August when the Municipality paid the Girls' School staff and such of the Boys' School teachers as were not residents of Alandi.

(b) Yes.

(c) Yes.

(d) No.

(e) Yes.

(f) The President of the Municipality was requested to pay all the arrears due to teachers. The Collector of Poona was also requested to advise the Municipality accordingly. The President of the Municipality now reports that all arrears of pay, etc., due to teachers were paid on December 1st.

Dr. M. K. DIXIT : (Inaudible).

The Honourable Mr. B. V. JADHAV : Because Government was not willing to interfere with the autonomy of the Municipality.

Dr. M. M. MEHTA : (Inaudible).

The Honourable Sir GHULAM HUSSAIN : If it is the desire of the House, we will decline to give them help till they have paid the teachers.

#### G. L. TIPRE.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) the reasons which led them to confiscate the Kulkarni Watan for life of Mr. Gopal Lakshman Tipre of Mehune, Taluka Malegaon, District Nasik, and to dismiss his deputy Mr. Shankar Sadashiv Tipre ;

(b) the reasons why no copies are given to them of the orders of confiscation and dismissal even on payment ;

(c) will Government be pleased to lay on the Council Table the papers of their case ?

The Honourable Sir CHUNILAL MEHTA : (a) The charges proved against the deputy Shankar Sadashiv, which entailed his dismissal from the post of Kulkarni, were that he had wilfully framed incorrect records, had habitually neglected his duty and had been guilty of grave misconduct. The representative watandar Gopal Lakshman had accepted responsibility for whatever his nephew and deputy Shankar had done. The family was a joint one and was one in every interest and respect. Gopal was cognizant of the behaviour of his deputy and took no steps to check him or to report him. As a matter of fact the misdeeds of the deputy were rendered possible only on account of the position and influence of both of them in the village.

(b) A copy of the orders of Government in the matter of forfeiture and dismissal was furnished to Gopal's pleader by the Mamlatdar.

(c) No.

Mr. C. M. SAPTARSHI : Did the honourable member make the enquiry himself ?

The Honourable Sir CHUNILAL MEHTA : I saw the papers ; yes.

Mr. C. M. SAPTARSHI : May I know why the papers have not been placed on the Council table ? Was it an arbitrary order ?

The Honourable Sir CHUNILAL MEHTA : It is not an arbitrary order. The papers are not placed on the Council table because they contain the opinions of various officers which Government do not think it right to make public.

Mr. C. M. SAPTARSHI : Are they unfit to be disclosed ?

The Honourable Sir CHUNILAL MEHTA : No : not for that reason. Government do not think it right as a general rule to disclose the opinions of their officers with some of which they may agree and others may not be approved of.

Mr. C. M. SAPTARSHI : Is the honourable member aware that if the person was punished for the fault of his deputy this House views with displeasure such punishment ?

The Honourable Sir CHUNILAL MEHTA : I think the printed reply gives the answer.

Mr. R. G. SOMAN : May I know whether it is a fact that he was connected with suits instituted in connection with the Malegaon punitive tax in the Nasik District Court ?

The Honourable Sir CHUNILAL MEHTA : I am not aware of that. If notice is given I shall find out.

Mr. P. G. JOSHI : Will the honourable member enlighten us as to what was the grave misconduct of which he was guilty ?

The Honourable Sir CHUNILAL MEHTA : If full particulars are desired I shall be glad to furnish them on receipt of notice.

Mr. W. S. MUKADAM : Will the honourable member place all the records of this case on the Council table excepting the opinion of the officers ?

The Honourable Sir CHUNILAL MEHTA : I do not suppose there need be any difficulty about that but I will have to see the papers first before I give the answer.

COMMISSION RECEIVED BY THE NAZIR, POONA SUB-JUDGE'S COURT.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) whether any commission is received by the Nazir of the First Class Subordinate Judge's Court, Poona, when he is appointed receiver in Insolvency Proceedings ;

(b) whether it is a fact that Commission is not received by the Nazir of the District Court of Poona, but is credited to Government for the management of minors' estates,

(c) if so, why such difference is observed when the two officers have to do extra work of nearly the same nature?

The Honourable Mr. J. L. RIEU : (a) Yes.

(b) Yes.

(c) In the former case the work of Receiver in insolvency proceedings does not form part of the Nazir's regular duties and is done out of office hours, while in the latter case the management of minors' estates is part of the Nazir's regular duties.

#### VILLAGE ACCOUNTS IN INAM VILLAGES

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) the forms in which the village accounts are to be kept in unsurveyed inam villages?

(b) the responsibility of the village officers to the inamdar in such inam villages if it differs from that of a khalsa village?

(c) what are the standing orders under which the village officers are bound to supply information to the inamdar of his inam village regarding the Collector's orders affecting his revenues?

The Honourable Sir CHUNILAL MEHTA : (a) The honourable member is referred to paragraphs 37–39 under the heading "Unsurveyed alienated villages" on pages 279–280 of Mr. Anderson's Manual of Revenue Accounts.

(b) The responsibility of village officers to the inamdar in an unsurveyed inam village in the matter of keeping accounts is not the same as that of village officers to Government in regard to khalsa villages, as accounts in an unsurveyed inam village are necessarily "very partial and inexact" (*vide* paragraph 36 on page 279 of Mr. Anderson's Manual of Revenue Accounts). The village officers of such villages can only be expected to keep inamdars' accounts in such forms as may be customary on the basis of such information as may be readily available.

(c) The honourable member's attention is invited to Government Resolution No. L. C. 1225 dated 31st July 1924, a copy of which was laid on the Council Table in reply to question \* by Sardar Mujumdar at the third Session of the Legislative Council, 1925.

#### SCHOOLS IN DHARWAR DISTRICT.

Mr. V. N. JOG (Dharwar District) : Will Government be pleased to state how many villages having a population of :

(i) one thousand, and

(ii) five hundred

each respectively in the Dharwar district have no Government vernacular primary schools?

The Honourable Mr. B. V. JADHAV : Information is being obtained.

## SCHOOL FOR THE SHANKERHATTI VILLAGE.

Mr. V. N. JOG (Dharwar District): Will Government be pleased to state—

(a) what is the population of the village of Shankerhatti in the taluka of Athni, Belgaum district?

(b) whether there is a vernacular school there maintained by the Department?

(c) whether any application was made by the villagers to open a school there?

(d) If so, when; and what steps Government have taken in the matter?

The Honourable Mr. B. V. JADHAV: Information is being obtained.

## PRIMARY TEACHERS HOLDING SCHOOL FINAL OR MATRICULATION CERTIFICATES.

Mr. V. N. JOG (Dharwar District): Will Government be pleased to state—

(a) How many teachers holding school final or matriculation certificates there are in the Southern Division?

(b) Whether they are given any special treatment by the Department? If not, why?

The Honourable Mr. B. V. JADHAV: Information is being obtained.

## PRIMARY TEACHERS HOLDING SCHOOL FINAL OR MATRICULATION CERTIFICATES.

Mr. V. N. JOG (Dharwar District): Will Government be pleased to state—

(a) whether there is any difference between a teacher holding school final and secondary teachers certificates and a teacher holding school final and third year training college certificates;

(b) if so, what better prospects there are for vernacular trained teachers holding school final or matriculation certificates than for ordinary trained teachers?

The Honourable Mr. B. V. JADHAV: Information is being obtained.

## CIVIL COURT FOR NAVALGUND.

Rao Badadur S. T. KAMBLI (Dharwar District): Will Government be pleased to state—

(a) whether they are aware of the great inconvenience caused to the litigant public of the Navalgund Taluka on account of there being no Civil Court in Navalgund Taluka;

(b) whether they have received any representations from the public asking for the establishment of a Civil Court at Navalgund;

(c) what action they propose to take in the matter?

The Honourable Mr. J. L. RIEU: (a) Government have considered the matter.

(b) No.

(c) None.

## SIDDAPUR DISPENSARY.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) whether their attention has been drawn to a statement made in paragraph 3 of column 1 of page 9 of the "Kanara News" dated 13th August 1925 regarding the Siddapur Dispensary;

(b) whether it is a fact that there is neither a midwife nor a woman servant attached to the said dispensary and that no female patients are therefore attending it;

(c) if so, whether they propose to take any action in the matter?

The Honourable Mr. B. V. JADHAV: (a) The answer is in the negative.

(b) There is no midwife or woman servant attached to the Siddapur Dispensary and consequently the number of female in-door patients is very limited.

(c) In view of the existing financial stringency, Government do not propose to take any action.

## CENTRAL BUILDINGS FOR GOVERNMENT OFFICES AT AHMEDABAD.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) what would be the cost of constructing a central building like the one at Poona for accommodating the various offices, of the Collector; the Prant Officer, Dholka; the Prant Officer, Prantij; the Prant Officer, Viramgam; Mamlatdar, North Daskroi; honorary magistrates, and Boiler Inspector;

(b) what would be the extra cost or gain to Government by the provision of such a central building;

(c) whether they are aware of the inconvenience and hardship experienced by the public on account of the distances between the various offices that are accommodated in hired buildings?

The Honourable Sir GHULAM HUSSAIN: (a) The cost of a Central building to accommodate the offices mentioned by the honourable member and a few others belonging to other Departments for which rough plans and estimates have been prepared, would be about Rs. 19½ lakhs.

(b) It is difficult to say but the rent paid by Government for hired buildings for Government offices at Ahmedabad is Rs. 2,074 per mensem.

(c) Yes.

## POLICE OUTPOST STATIONS IN AHMEDABAD AND SURAT DISTRICTS.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) the number and names of outpost police stations in the Ahmedabad and Surat districts;

- (b) the area of each outpost and the number of villages under it ;
- (c) the number of crimes that occur in each of these outposts every year during 1921 to 1925 ;
- (d) how many of these crimes are traced and how many remain untraced every year during the years 1921 to 1925 ;
- (e) what is the number of sub-inspectors, head constables and constables at each station ;
- (f) how many of these head constables and constables work as writer constables ;
- (g) how many of these constables work as orderlies of the sub-inspector ;
- (h) how many of these constables are stationed at some of the villages and railway stations under the outpost ;
- (i) whether it is a fact that one or two of these orderlies are always on privilege or sick or casual leave ;
- (j) whether it is a fact that there is not a single armed police constable at these outposts ?

The Honourable Mr. J. L. RIFU : Government consider that the labour entailed in the collection of the information called for is out of proportion to any public purpose that would probably be served by it.

#### DISCONTENT IN THE REGISTRATION DEPARTMENT.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) : Will Government be pleased to state—

- (a) whether it is a fact that those who work in the Inspector General of Registration's office supersede others in the Department though their work is of a clerical nature and not so difficult as that of sub-registrars in the districts ;
- (b) whether it is a fact that a sub-registrar who had served in a native state for 4 or 5 years had superseded others in the Department ;
- (c) whether they are aware that some of the Registrars suffer very badly owing to being stationed in places where there is no High School or other suitable institution for the education of their children ;
- (d) if so, what action they propose to take in the matter ;
- (e) whether they are aware of the growing discontent in the Registration Department ;
- (f) what steps they propose to take in the matter ?

The Honourable Mr. A. M. K. DEHLAVI : (a) Before the revision of the Registration Department in 1921, the Inspector General's office staff was separate from the mofussil Sub-registrars. The former was recruited by drawing on the Sub-registrars who after a time returned to their mofussil duties. In these circumstances it sometimes happened that after a period of satisfactory service in the Inspector General's office Sub-registrars returned to mofussil duty with some promotion above their former position. Since the revision of 1921 Sub-registrars and the Inspector General's staff are borne on the same establishment and are interchangeable without alteration in their position in the list.

(b) A sub-registrar, who was serving for 12 years in an Indian state, was posted in the list, as a reward for his good service to the Durbar, above four persons.

(c) Government are aware that the sub-registrars in common with other Government servants suffer from this inconvenience.

(d) None.

(e) Government are not aware of any genuine discontent.

(f) Does not arise.

Khan Saheb A. M. MANSURI: In reply to (b) the Honourable Minister says: "A sub-registrar who was serving for 12 years in an Indian State was posted in the list as a reward for his good service to the Durbar above four persons" in the service of the British Government. May I know whether the four servants above whom this man was placed at that time had done any disservice to the Government service?

The Honourable Mr. A. M. K. DEHLAVI: No.

Khan Saheb A. M. MANSURI: Then why was he taken above?

The Honourable Mr. A. M. K. DEHLAVI: He was a better man.

Khan Saheb A. M. MANSURI: Then you want to discourage persons in your own service?

The Honourable Mr. A. M. K. DEHLAVI: He was in our service.

Dr. R. P. PARANJPYE: Was the man in question before he was lent to the service of the durbar a Government servant here?

The Honourable Mr. A. M. K. DEHLAVI: Yes.

The THAKOR of KERWADA: On whose report did Government come to the conclusion that this gentleman had done good service to the durbar?

The Honourable Mr. A. M. K. DEHLAVI: On the report which came about him from the State.

The THAKOR of KERWADA: Did the Honourable Minister get adverse report in the case of other persons who were not lent?

The Honourable Mr. A. M. K. DEHLAVI: No. Is it not clear to the honourable member, Sir, is it not easy to understand that although there may be nothing against a particular person but another who may be a better man may supersede the one who is not so good?

Rao Saheb D. P. DESAI: What particular disadvantage did the man suffer from? In the Indian State he got more pay and here when he reverted to the British service he got more pay?

The Honourable Mr. A. M. K. DEHLAVI: That shows that he merited it.

Mr. J. C. SWAMINARAYAN: So a Government servant if he merits promotion is to always receive it by superseding others?

The Honourable Mr. A. M. K. DEHLAVI: Not always.



## CONSTRUCTION OF A RESERVOIR ACROSS MAHI OR PANAM.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) whether they intend constructing a reservoir either across the Mahi or its tributary the Panam for irrigating the lands of the Kaira District;

(b) whether they are aware of the great possibilities for irrigation in the Kaira District?

The Honourable Mr. COWASJI JEHangIR: (a) The survey estimates for the Mahi scheme which includes a reservoir on the Panam river near Lunawada and another on the Watrak river near Magodi and Mehmabad with necessary canal lines are under the consideration of Government.

(b) Irrigation schemes have been suggested but until the results of the surveys for the two schemes, mentioned in the reply to the first part of this question and the second part of question No. 27 are available it is not possible to state whether the possibilities for irrigation in the Kaira District are great.

## “DURGDAS,” A CINEMA FILM.

Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state—

(a) whether they are aware that the film Durgdas is a very objectionable one from the point of view of Mahomedans and has been proscribed by several other provincial Governments;

(b) the reasons why this film has not been proscribed in this presidency;

(c) whether they are aware of the harm such films do by disturbing the peaceful relations between Hindus and Mahomedans?

The Honourable Mr. J. L. RIEU: The honourable member presumably refers to the film “Vir Durgadas”. Government notified this film as uncertified in the Bombay Presidency in Notification No. 5495-E, dated the 26th June 1924, published at page 1533, Part I, of the *Bombay Government Gazette* dated the 10th July 1924. Subsequently the Governments of the United Provinces and of the Punjab notified the film as uncertified for exhibition in the United Provinces of Agra and Oudh and in the Punjab, respectively.

## HINDU-MOSLEM TENSION IN SHOLAPUR.

Mr. W. S. MUKADAM (Panch Mahals District): Will Government be pleased to state—

(a) whether the local authorities of Sholapur were aware of the increasing Hindu-Moslem tension there;

(b) if so, what steps they took to relieve the tension;

(c) if no steps were taken, the reasons for not taking them;

(d) whether the local authorities at Sholapur had informed them of the growing tension between Hindus and Moslems after the Mohorum disturbance in July 1925 ?

The Honourable Mr. J. L. RIEU : Criminal cases arising out of communal riots are under trial, and Government do not consider it desirable to make any statement on the subject at present.

Mr. C. M. SAPTARSHI : Do Government expect to make a statement during the current session ?

The Honourable Mr. J. L. RIEU : Government will consider whether to make a statement when the trials are completed.

Mr. ABDUL LATIF HAJI HAJRAT KHAN : May I know the members of which community were primarily responsible for the disturbances in the Mohorum festival ?

The Honourable Mr. J. L. RIEU : I do not consider it desirable to give any reply to that question at present.

Mr. ABDUL LATIF HAJI HAJRAT KHAN : Is it not a fact that the Mahomedans helped the Hindus in carrying out the procession even after the unprovoked assault on them ?

The Honourable Mr. J. L. RIEU : I have already said Government are not prepared to make any statement at present on the subject.

Mr. S. S. DEV : Will the honourable member be pleased to say how many criminal cases are pending at present ?

The Honourable Mr. J. L. RIEU : I am not in a position to reply to that.

Mr. C. M. SAPTARSHI : How many cases remain to be disposed of ?

The Honourable Mr. J. L. RIEU : I am not able to say.

Mr. W. S. MUKADAM : May I know what time will be required to complete the investigations ?

The Honourable Mr. J. L. RIEU : I am unable to say.

Mr. W. S. MUKADAM : May I know whether Government have decided to make a statement once for all after the case is completed.

The Honourable Mr. J. L. RIEU : No.

Mr. W. S. MUKADAM : Have they decided not to make any statement.

The Honourable Mr. J. L. RIEU : No.

#### BAD CHARACTERS IN SHOLAPUR.

Mr. W. S. MUKADAM (Panch Mahals District) : Will Government be pleased to state—

(a) whether the District Superintendent of Police of Sholapur maintains a list of bad characters residing within his jurisdiction ;

(b) if the answer be in the affirmative, will Government be pleased to place the names on the table ?

The Honourable Mr. J. L. RIEU : (a) The answer is in the affirmative.

(b) The answer is in the negative.

Mr. S. S. DEV : What is the danger in placing these names on the table ?

The Honourable Mr. J. L. RIEU : Government consider it very undesirable to make public any such lists of persons.

Mr. V. R. KOTHARI : Are Government afraid to make these names public ?

(No reply.)

Mr. W. S. MUKADAM : May I know whether the Government is prepared to give only the number of such persons ? I do not want the names, only the number.

The Honourable Mr. J. L. RIEU : No ; neither the names nor the number.

Mr. W. S. MUKADAM : May I know why the numbers are not given ?

The Honourable Mr. J. L. RIEU : Because Government think it inadvisable.

Mr. W. S. MUKADAM : Do Government think that it is objectionable in the interest of the public ?

The Honourable Mr. J. L. RIEU : Certainly so.

Rao Bahadur S. T. KAMBLI : May I know whether any notice is given to these persons before putting their names in the list of bad characters to show cause why their names should not be so entered ?

The Honourable Mr. J. L. RIEU : No.

SIR GEORGE BUCHANAN OF MESSRS. MEIK AND BUCHANAN.

Mr. K. F. NARIMAN (Bombay City, South) : Will Government be pleased to state—

(a) whether it is a fact that the name of Sir George Buchanan of the firm of Messrs. Meik and Buchanan, Consulting Engineer to the Development Directorate, has been removed from a Society or Association of Engineers ;

(b) if the answer to the above is in the affirmative,

(i) what are the reasons for such removal ;

(ii) whether Government intend to continue to engage the firm as Consulting Engineers ?

The Honourable Mr. COWASJI JEHangIR : (a) and (b) (i) Government have no information.

(b) (ii) The agreement with the firm has been terminated.

Mr. K. F. NARIMAN : In regard to (a) and (b), does not Government consider it a matter important enough for them to enquire into the matter to know whether the name of the Consulting Engineer to the Development Directorate (Sir George Buchanan) has been removed from a Society or Association ?

The Honourable Mr. COWASJI JEHangIR : He is no longer employed by Government.

Dr. R. P. PARANJPYE : Will Government find out now at least, by cable if necessary, whether the suggestion in the question (a) is a fact ?

The Honourable Mr. COWASJI JEHANGIR : I am given to understand that the Association of Civil Engineers from the roll of which Sir George Buchanan's name is said to have been removed, keep this matter confidential ; they attempt to keep this information confidential.

Mr. K. F. NARIMAN : Has the Government heard anything from the Association ?

The Honourable Mr. COWASJI JEHANGIR : No.

Mr. K. F. NARIMAN : How do Government know that they attempt to keep the information confidential ?

The Honourable Mr. COWASJI JEHANGIR : Government heard so.

Mr. K. F. NARIMAN : From whom ?

The Honourable Mr. COWASJI JEHANGIR : Informally.

Mr. K. F. NARIMAN : Does the Government rely upon informal information ?

The Honourable Mr. COWASJI JEHANGIR : No.

Mr. K. F. NARIMAN : Why do they do it on this occasion ?

The Honourable Mr. COWASJI JEHANGIR : They have not relied on it. I only give the information for what it is worth. The honourable member's desire for further knowledge is so great that I give him all the information in my possession.

Mr. K. F. NARIMAN : Does not the Honourable the General Member think that this information is very necessary and that he should obtain it ?

The Honourable Mr. COWASJI JEHANGIR : If Government come to the conclusion that it is in the interests of Government that this information should be obtained, I can assure the honourable member that Government will do their best to obtain it.

Mr. K. F. NARIMAN : Supposing Sir George Buchanan's name was removed at the time . . . . . , was it not the duty of the Government to find out whether it was removed ?

The Honourable Mr. COWASJI JEHANGIR : That is a hypothetical question, Sir.

The Honourable the PRESIDENT : The honourable member can refuse to reply.

Sir VASANTRAO A. DABHOLKAR : May I know why the agreement with the firm has been terminated ?

The Honourable Mr. COWASJI JEHANGIR : Because Sir George Buchanan broke one of the terms of the agreement.

Mr. K. F. NARIMAN : What was that term ?

The Honourable Mr. COWASJI JEHANGIR : That will require a fairly lengthy answer, and I shall require notice of the question. If

the honourable member will have a little patience, he will know everything within four or five days. But if he wants a written reply, I shall be pleased to give it to him, if he gives notice.

Mr. H. B. SHIVDASANI : Does the Society or Association of Engineers publish a list of its members ?

The Honourable Mr. COWASJI JEHLANGIR : Yes.

Mr. H. B. SHIVDASANI : Would it not be possible to find out from the list whether his name has been removed ?

The Honourable Mr. COWASJI JEHLANGIR : His name does not appear on the latest list.

Mr. H. B. SHIVDASANI : Was his name on the list published before ?

The Honourable Mr. COWASJI JEHLANGIR : It was on the list published before. (Honourable Members : Hear, hear).

Mr. J. C. SWAMINARAYAN : Does this fact not prove that his name removed ?

The Honourable Mr. COWASJI JEHLANGIR : He may have resigned. I can assure honourable members that it is not the desire of Government to shield Sir George Buchanan by any means, but until Government are in possession of the actual facts, I do not want to make defamatory statements in this House. The fact is that his name was on the list, but the name is not on the list now. For what reasons the name has been removed Government have no information.

Mr. K. F. NARIMAN : When Government found out that his name had been removed from the list, was it not the duty of Government to enquire why the name was removed ?

The Honourable Mr. COWASJI JEHLANGIR : I have already replied to that question, Mr. President.

Mr. D. B. ADWANI : What was the date on which the termination of the agreement took effect ?

The Honourable Mr. COWASJI JEHLANGIR : From the 31st of December last.

Mr. L. B. BHOPATKAR : Will Government be pleased to employ the agency of the C. I. D. to find out the reasons why the name of Sir George Buchanan was removed from the list ?

The Honourable Mr. COWASJI JEHLANGIR : I would refer the honourable member to the Honourable the Home Member.

Mr. H. H. NARIELVALA : Government have not replied to the question whether Government intend to continue to engage the firm as consulting engineers.

The Honourable Mr. COWASJI JEHLANGIR : I would ask the honourable member to read the question and the reply again.

Mr. H. B. SHIVDASANI : When did the name of Sir George Buchanan fail to appear in the list ? In which year ?

The Honourable Mr. COWASJI JEHLANGIR : In the latest list.

Mr. W. S. MUKADAM : What month ?

The Honourable Mr. COWASJI JEHangIR : Some time in last year. I cannot give the exact date without notice.

Mr. H. B. SHIVDASANI : Which is the latest list in which it does appear ?

The Honourable Mr. COWASJI JEHangIR : I would ask for notice.

Mr. W. S. MUKADAM : May I know whether the agreement was terminated after the name was removed ?

The Honourable Mr. COWASJI JEHangIR : I cannot assume that the name has been removed, but the agreement was terminated in December last.

Rao Saheb D. P. DESAI : The Honourable the General Member referred one of my honourable colleagues to the Honourable the Home Member for an enquiry to find out the reasons why Sir George Buchanan's name was removed from the list. I ask him whether he has submitted all the papers regarding Sir George Buchanan to the Home Member for an investigation by the C. I. D.

The Honourable Mr. COWASJI JEHangIR : If the honourable member had understood correctly the question and the answer, he would not ask this question.

Mr. K. F. NARIMAN : Was the fact of the removal of Sir George Buchanan's name from the list communicated to the Advisory Committee for the Development Department ?

The Honourable Mr. COWASJI JEHangIR : It was discussed informally in the special advisory committee.

Mr. D. B. ADWANI : When did Sir George Buchanan break one of the terms of the agreement ?

The Honourable Mr. COWASJI JEHangIR : At the beginning of this working season, about September or October last year.

Mr. K. F. NARIMAN : May I know who is responsible for Government replying incorrectly "Government have no information" ? My question was whether it is a fact that the name of Sir George Buchanan of Messrs. Meik and Buchanan, Consulting Engineers, has been removed from a Society or Association of Engineers. Government have replied that they have no information. Now it turns out that Government had known that the name was removed from the list.

The Honourable Mr. COWASJI JEHangIR : I must strongly protest against this question.

The Honourable the PRESIDENT : The honourable member has completely misunderstood what reply the Honourable the General Member gave in answer to a long list of supplementary questions. What he said was that Sir George Buchanan's name appeared in one list, but it did not appear in the next list. He does not know the reasons whether the name was removed or was omitted in consequence of Sir George Buchanan's resignation. The Honourable the General Member has given answers as far as the information which he possessed permitted.

Mr. K. F. NARIMAN : The information that the name is not on the list should have been supplied to the House.

The Honourable the PRESIDENT : The Honourable the General Member was replying to questions put.

Dr. R. P. PARANJPYE : Does it not mean removal of the name from the list, when it does not appear on the list ?

The Honourable Mr. COWASJI JEHangIR : It means omission and not removal.

Rao Bahadur S. T. KAMBLI : Do Government intend to take steps for the recovery of damages for breaking the terms of the agreement ? Because it was stated that Sir George Buchannan broke one of the terms of the agreement and therefore the agreement has terminated. I want to know whether Government intend to take any steps for the recovery of damages for that.

The Honourable Mr. COWASJI JEHangIR : The legal position is before the law officers of Government.

#### COLABA EAST RECLAMATION.

Mr. K. F. NARIMAN (Bombay City, South) : Will Government be pleased to state—

(a) what was the total outlay invested by them in the Colaba East Reclamation Scheme ;

(b) whether they expect any return for this outlay ;

(c) what is the total loss incurred in the partial execution of the scheme and its ultimate suspension ;

(d) whether it is a fact that the whole capital invested and the amount of labour, time and energy employed in the scheme is purely wasted ;

(e) why they did not act on the advice of their critics and abandon the scheme much earlier ;

(f) who is responsible for the loss of the large amount of public funds ;

(g) under whose advice and on what calculations was this gigantic scheme undertaken ?

The Honourable Mr. COWASJI JEHangIR : (a) to (d) The honourable member is referred to the reply given to question No. 2 put by the honourable member for the Indian Merchants' Chamber at the current session.

(e) to (g) The honourable member is referred to the Press Note No. S. A.-4912, dated the 20th December 1921, which gives the history of the inception of and the reasons for undertaking the scheme. The scheme was also approved by the Advisory Committee and has been suspended at their advice.

Mr. K. F. NARIMAN : Is it not a fact that the advisory committee recommended the continuance of the scheme on insufficient and inaccurate data supplied to them ?

The Honourable Mr. COWASJI JEHangIR : Which scheme is the honourable member referring to ?

Mr. K. F. NARIMAN : The scheme which the Honourable Member referred to in my question.

The Honourable Mr. COWASJI JEHangIR : The honourable member has made a complete confusion. He confuses the two schemes. He asks about the East Colaba Reclamation scheme. The answer to that is that the scheme was also approved by the advisory committee originally when it was first started, and has been suspended on their advice.

Mr. K. F. NARIMAN : Is it not a fact that this scheme was approved in the first *ad interim* report of the first advisory committee ?

The Honourable Mr. COWASJI JEHangIR : The first *ad interim* report suggested that the scheme be suspended.

Mr. K. F. NARIMAN : Is it not a fact that a departmental Note from the Development Directorate dated 27th January 1925 wherein the Directorate had stated that the scheme would cost Rs. 8,80,00,000 was not disclosed before the advisory committee when they sent their *ad interim* report recommending the continuance of the scheme ?

The Honourable Mr. COWASJI JEHangIR : I would ask for notice of the question.

Mr. K. F. NARIMAN : Has not the Advisory Committee in their report made a complaint of this fact that it was not disclosed ? Do they not say :

"In a departmental note of 27th January 1925, Sir Lawless Hepper estimates the net outlay of Rs. 880 lacs. We cannot divine what scruples of conscience, moral or economic, constrained Sir Lawless to withhold this note from the Committee whose blissful ignorance thereof left them no option but to sign the *ad interim* report in February 1925."

They complain that they were made to recommend, because this fact was not disclosed to them.

The Honourable Mr. COWASJI JEHangIR : That has nothing to do with this question. This is dealing with East Colaba. My honourable friend is reading something about the scheme on the West side of Colaba.

Mr. K. F. NARIMAN : Does the *ad interim* report of the committee refer to the Back Bay Scheme ?

The Honourable Mr. COWASJI JEHangIR : I ask for notice of the question.

#### ALLOWANCES IN VILLAGES FOR POSTAL DUTIES.

Mr. R. S. NEKALJAY : Will Government be pleased to state—

(a) whether it is a fact that school teachers in the villages receive allowances for doing additional duties in connection with the post office, whereas the work of delivery of letters is taken from watandar Mahars ;

(b) whether any trained teachers from the depressed classes are given such postal work ? If so, how many ; if not, why not ?

The Honourable Mr. B. V. JADHAV : Information is being obtained.



## APPEAL BY THE PRIMARY TEACHERS' ASSOCIATION, KAIRA DISTRICT.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) whether the president and secretaries of the primary teachers' association of the Kaira district have been suspended for issuing appeals to the members of the Legislative Council;

(b) whether similar appeals were issued by the teachers and associations of other districts;

(c) whether such disciplinary rules are enforced with the same stringency in the case of representations of collective grievances as in the case of individual grievances;

(d) the number of cases in which similar appeals were made during 1924 and 1925?

The Honourable Mr. B. V. JADHAV: (a) The President and two Secretaries of the Association referred to were suspended not for issuing appeals to members of the Legislative Council but for the language employed in the appeal.

(b) Not so far as Government are aware.

(c) Disciplinary action would be taken in a similar case whether the grievances were collective or individual.

(d) No appeals of a similar objectionable nature have previously come to the notice of Government.

Mr. G. I. PATEL: Will the Honourable Minister state what was objectional in that appeal.

The Honourable Mr. B. V. JADHAV: The honourable member, I think, has received a copy of that appeal.

Mr. G. I. PATEL: Therefore, I have reasons to ask what is the objectionable part of that appeal.

(No reply.)

The Honourable the PRESIDENT: May I draw the attention of honourable members to the fact that the question hour has only 10 minutes left.

## SUBSCRIPTION TO THE "SURAT AKHBAR".

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Will Government be pleased to state—

(a) if the Educational Inspector, Northern Division, Mr. K. S. Vakil, addressed any demi-official, private or personal letters or notes to any institutions asking them to subscribe to the "Surat Akhbar", a weekly paper, having no educative value;

(b) if so, will they be pleased to place on the Council table copies of such orders, letters or notes;

(c) the number of schools in Northern Division which are subscribers of the said weekly in 1925?

The Honourable Mr. B. V. JADHAV: (a) There is no record of such having been written, and the Educational Inspector, Northern

Division, reports that he has no recollection of having written any. He, however, states that he is open to correction on this point.

(b) In view of the answer to part (a) above, this question does not arise.

(c) Government have no information on the subject

Mr. G. I. PATEL : In view of the reply given that Government officers concerned have no recollection, will the Honourable Minister enquire again and find out whether there was any private or official note or circular ?

The Honourable Mr. B. V. JADHAV : It would be better for the honourable member to secure a copy of the circular and then perhaps he would be able to refresh his memory

Mr. G. I. PATEL : When the records are in possession of Government, how can I secure a copy. The reply is that the Educational Inspector, Northern Division, reports that he has no recollection of having written any semi-official or private letters, etc. Therefore my request is whether the Honourable Minister will try and get the definite and correct information ?

The Honourable Mr. B. V. JADHAV : I am sorry Government cannot do anything in the matter. They have to rely on the statements of their officers.

#### INSPECTION VISITS BY THE EDUCATIONAL INSPECTOR, NORTHERN DIVISION.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Will Government be pleased—

(a) to give the special reasons on account of which the Educational Inspector, Northern Division, Mr. K. S. Vakil, gave the largest number of inspection visits during 1924-25 to Surat as compared with all other centres of the Northern Division ;

(b) to state whether Mr. K. S. Vakil is a native of Surat ;

(c) if so, to state whether the greater number of visits paid by him to Surat are due to this reason ;

(d) to give in a tabular form a comparative statement of travelling allowances paid to Educational Inspectors, Northern Division, for their visits to Surat during the years 1922, 1923, 1924 and 1925, respectively ?

The Honourable Mr. B. V. JADHAV : (a) The reasons were that Surat City contains more schools requiring inspection by the Educational Inspector than any other town in Gujarat except Ahmedabad and that the Educational Inspector wished to visit Kalipara Primary Schools in the Pardi Taluka of the Surat District which need his special attention.

(b) Yes.

(c) No.

(d) The requisite statement is given below :—

#### *Travelling allowance paid to the Educational Inspector, N. D.*

					Rs.
1922-23	..	..	..	..	222
1923-24	..	..	..	..	245
1924-25	..	..	..	..	641
1925-26 up to 30th September 1925	..	..	..	..	255

Mr. G. I. PATEL: With regard to 1924-25 the figure is 641, may I know why three times the average of all the years has been spent during that year.

The Honourable Mr. B. V. JADHAV: Because more touring was done.

Mr. G. I. PATEL: Is that is the view of the department of Education.....

The Honourable the PRESIDENT: Honourable members may well restrain their zeal for supplementary questions in view of the fact that there is very little time left.

#### EDUCATIONAL GRANTS TO AIDED SCHOOLS AND MISSION SCHOOLS AT AHMEDABAD.

Mr. G. I. PATEL (Ahmedabad Millowneirs' Association): Will Government be pleased to state—

(a) the names of the Mission schools and other educational institutions in Ahmedabad to which grants were given in 1924-25 and 1925-26.

(b) the amounts given as grants to each of them in these two years;

(c) the incidence of the grants per pupil in each school and institution?

The Honourable Mr. B. V. JADHAV: Information has been called for.

#### CIVIL COURT AT IGATPURI.

Mr. R. G. PRADHAN (Nasik District): Will Government be pleased to state whether they have received from some inhabitants of Igatpuri taluka, District Nasik, a representation urging that a separate Civil Court should be established at Igatpuri, or in the alternative that the Joint Sub-Judge at Nasik should hold his Court at Igatpuri for a fixed period of the year for the trial of cases from the taluka, and if so, what action they have taken thereon?

The Honourable Mr. J. L. RIEU: No such representation has been received.

#### ROOFS OVER THE PLATFORMS AT BIJAPUR AND BAGALKOT STATIONS.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state whether they are aware of the inconvenience caused to the public owing to the want of roofs over the platforms at Bijapur and Bagalkot Stations?

The Honourable Sir CHUNILAL MEHTA: No.

#### BAGALKOT STATION—INCONVENIENCES OF PASSENGERS AT.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether their attention has been drawn to the editorial notes of the "Kannadiga" of Bagalkot in its issues of 16th October 1925 and 4th December 1925 regarding the inconveniences of railway passengers at Bagalkot station;

(b) if so, what steps they propose to take in the matter?

The Honourable SRI CHUNILAL MEHTA. (a) Yes.

(b) As regards the inconveniences complained of in the editorial notes of the issue of the "Kannadiga" dated 16th October 1925 Government are informed that the allegation that many passengers are put to inconvenience as a result of the station gate not being left open until the arrival of a train at a platform cannot be verified as no complaint has been made to the railway authorities.

As regards the complaint in the editorial notes of the issue of the "Kannadiga" dated 4th December 1925, enquiries are being made.

#### MONUMENTS AT BIJAPUR.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased to state—

(a) whether all the old monuments in Bijapur including the Adalat-Mahal and Ananda-Mahal are open to public visitors,

(b) if not, under what particular section or sections and under what Act, these monuments are dedicated for other purposes?

The Honourable Mr. COWASJI JEHANGIR: Information has been called for.

#### INDIAN SANATORIUMS.

Mr. S. A. SARDESAI (Bijapur District): Will Government be pleased—

(a) to obtain and place on the Council table the report of Indian Sanatoriums submitted to the Government of India by the special officer deputed for that purpose;

(b) to state how many places in the Bombay Presidency are recognised as Sanatoriums?

The Honourable Mr. B. V. JADHAV: (a) This Government is not aware of the deputation of any special officer to report on Indian sanatoria nor of any report on such institutions.

(b) It is not understood what is meant by the words "recognised as Sanatoriums". So far as Government are aware the only places regarded as sanatoria are—

- (1) Deolali.
- (2) Nasik.
- (3) Igatpuri
- (4) Matheran.
- (5) Khandala.
- (6) Lonavla.
- (7) Mahabaleshvar.
- (8) Panchgani.
- (9) Poona.

## SUPPLY OF OFFICIAL PUBLICATIONS.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state—

(a) to what journals the Government blue-books, administration reports and other costly official publications, as distinct from the ordinary Press Notes and Government Gazette, are supplied,

(b) what is the principle on which the said Government publications are supplied and the journals are selected?

The Honourable Mr. COWASJI JEHangIR : (a) Information is being collected.

(b) Ordinarily only papers having a circulation of 2,000 and over are supplied with a few administration reports and similar publications selected by them. Government, however, relax the condition regarding circulation in the case of papers which in their opinion deserve special treatment.

## MOTOR ACCIDENTS.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state what measures they intend to adopt to check the increasing number of motor accidents?

The Honourable Mr. J. L. RIEU : The information before Government does not bear out the assumption that the number of motor accidents is increasing.

## CIVIL COURT AT NAVALGUND.

Mr. S. A. SARDESAI (Bijapur District) : Will Government be pleased to state—

(a) whether their attention has been drawn to the issue of the *Karnatic Times* of Dharwar dated 15th January 1926, regarding the opening of a new Second Class Sub-Judge's Court at Navalgund in the Dharwar District;

(b) if so, whether they propose to take any action in the matter?

The Honourable Mr. J. L. RIEU : (a) Yes

(b) No.

## COMPULSORY VACCINATION.

Mr. A. N. SURVE (Bombay City, North) : Will Government be pleased to state—

(a) the number of prosecutions for refusal to vaccinate children instituted during the last two years in Hyderabad (Sind);

(b) whether it is a fact that resolutions have been passed by the Hyderabad (Sind) Municipal Council against the enforcement of the Vaccination Act;

(c) whether it is a fact that prior to the Act of 1919 the India Office intervened on several occasions on behalf of objectors to

vaccination in India who were being prosecuted and stopped the prosecutions ?

The Honourable Mr. B. V. JADHAV.—

	Year.				Number.
(a)	1923 .	..	..	..	14
	1921 ..	..	..	..	30

(b) and (c) Already replied to.

Mr. A. N. SURVE : In view of the facts disclosed is it the intention of Government to give protection to people who have conscientious objection to vaccination ?

The Honourable Mr. B. V. JADHAV : Government have, at the same time, to see that other people are also protected.

#### SARASPUR LIQUOR SHOP, AHMEDABAD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether the liquor shop of Saraspur, a suburb of Ahmedabad, is situated in the midst of high class Hindu and Mahomedan population ;

(b) whether it is true that the shop is situated in front of the well, supplying drinking water to the suburb ;

(c) whether it is true that high class Hindu ladies have to go to the well for fetching their daily requirements of water ;

(d) whether the residents of Saraspur have complained to the Collector of Ahmedabad against the annoyance caused by drunkards to the ladies, drawing water from the well ;

(e) if so, what steps has the Collector taken in the matter ?

The Honourable Mr. A. M. K. DEHLAVI : (a) The shop is not situated in the midst of any houses but in an open area inside the town wall of Saraspur. The houses in the neighbourhood are inhabited by all classes of persons.

(b) There is a well situated within view of the shop.

(c) It appears that no high class Hindu ladies have to go to this well for fetching their daily requirements of water as Saraspur is provided with pipe water from the Municipal mains.

(d) Petitions were received by the Collector of Ahmedabad in 1921 and again in 1925.

(e) Full enquiry was made by the Collector of Ahmedabad in 1921 and again lately but he found that the site was quite unobjectionable.

Mr. J. C. SWAMINARAYAN : Has not the Excise Committee recommended that liquor shops should not be located near village wells and has not Government accepted that recommendation ?

The Honourable Mr. A. M. K. DEHLAVI : Government have said that they will consider it very favourably.

ANNEWARI AT ASLALI IN SOUTH DASKROI TALUKA.  
AHMEDABAD DISTRICT.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) the names of the officers who made the annewari valuation of the crops of the village Aslali, in the South Daskroi Taluka of the Ahmedabad District during the current year ;

(b) how many fields were inspected for making the calculation ;

(c) what was the annewari valuation of the various crops of the village and what was the average annewari of all the crops ?

The Honourable Sir CHUNILAL MEHTA : (a) The valuation was made by the Circle Inspector and Mamlatdar and inspected by the Sub-Divisional Officer and the Collector.

(b) 227.

(c) The average annewari of the village was 3·8. Full suspension has been granted. Information about the valuation of the various crops is given below.—

				Annas.
Jowari (early)		..	.	6
Jowari (late)	..	.	..	4
Jowari (irrigated)	.	..	.	7
Bajri (early)	..	.	..	8
Bajri (late)	..	..	..	6
Rice (irrigated)	.	..	.	8
Rice (not irrigated)	..	.	.	2
Bawto		..	..	6
Cotton (early)	..	.	.	7
Cotton (late)	..	..	..	4
Cotton (irrigated)	..	..	..	10
Mi-cellaneous	..	..	..	8

INSPECTION OF DHOLKA MUNICIPAL RECORDS BY MUNICIPAL  
COUNCILLORS.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether it is a fact that the president of the Dholka Municipality passed an order, prohibiting the municipal councillors, including the members of the managing committee, from inspecting all municipal records ;

(b) whether it is a fact that petitions in this connection were submitted to the authorities concerned ;

(c) if so, what steps have been taken by Government in the matter ?

The Honourable Sir GHULAM HUSSAIN : (a) No. The President only issued instructions to the Secretary that no Councillor should be allowed to inspect municipal records without the previous permission

of the President. The President who is responsible for the records considered this order necessary for carrying on the peaceful and proper administration of the municipal affairs.

(b) Yes. A Councillor Mr. N. M. Oza brought a written proposal before the Board stating that the President's order restricting a Municipal Councillor from inspecting the municipal records without permission was illegal, and that therefore the opinion of the Remembrancer of Legal Affairs should be obtained upon it. The Board, after considering the question, decided that the order passed by the President was not illegal but that it was in accordance with the powers vested in him. Mr. Oza also approached the President who replied that the authority cited by him (*i.e.*, Mr. Oza) was not applicable and that he should cite authority in support of his statement. No authority has as yet been quoted by Mr. Oza.

(c) The question does not arise.

#### THE BAVLA-BAGODRA ROAD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether they are aware that the portion of the provincial Ahmedabad-Berwala road between Bavla and Bagodra is in a very bad condition and becomes wholly impassable during the monsoon and in the succeeding months;

(b) whether they are aware that the villages Kerala, Kocharia, Bhayla, Ranesar, Chiyada, Dhanwada, Gangad, Bhannasra, Amipara and others are dependent for the supply of provisions and other necessities of life on Bavla and are cut off from the centre of supply during the monsoon;

(c) whether the people of those villages have applied to the Government authorities, requesting them to repair the road immediately;

(d) whether Government have decided to metal section I of Ahmedabad-Berwala Road (*viz.*, the portion between Sarkhej and Bavla) and made provision for starting the work in the budget of 1925-26;

(e) whether their attention has been drawn to the immediate necessity of making provision for metalling the further section of the said road between Bavla and Bagodra? If so, what action they have taken in the matter?

The Honourable Sir GHULAM HUSSAIN: (a) Yes, but the so called Bavla-Bagodra Road, provincialized only in 1920, is a mere cart track which gets submerged, since it passes for a good part of its length through low lying ground, and as it has neither an embankment nor cross drainage works, is impassable in the rainy season.

(b) Yes, but this has been the standing condition of these villages before the so called road was provincialized.

(c) Yes, it is reported that petitions to repair the road have lately been received by the local authorities.



(d) Yes, Rs. 60,000 have been allotted for expenditure during the current year and the work is in progress.

(e) Yes. Plans and estimate for metalling and improving the road are awaited from the local authorities.

#### ANNEWARI OF CROPS IN AHMEDABAD DISTRICT.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether it is a fact that the revenue officers of Ahmedabad District have fixed a high annewari valuation of crops in the Ahmedabad District with a view to prevent the remission of the revenue suspended in 1923-24 ;

(b) if so, whether they propose to take any steps in the matter, in view of the failure of the late rains ?

The Honourable Sir CHUNILAL MEHTA : (a) No.

(b) Does not arise.

#### MURDER OF A KOLI BOY AT PATRI.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether a Koli boy was found missing in Patri, a town in the Viramgam Taluka of the Ahmedabad District at about 4 p.m. on the 10th of July 1925 ;

(b) whether the corpse of the said boy was found in the afternoon of the 12th July 1925 in a field at a distance of about one mile from Patri ;

(c) what steps have Government taken to find out the culprit who committed the murder of the boy ?

The Honourable Mr. J. L. RIEU : (a) Yes.

(b) Yes.

(c) The case was investigated by the Police. Certain persons were put on trial for the offence but were acquitted in the Sessions Court, Ahmedabad. No further action is considered necessary.

#### ANNEWARI OF CROPS IN CERTAIN VILLAGES IN AHMEDABAD DISTRICT.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) the annewari valuation of crops in Dantisna, Varnor, Vanapar li, Nayakpur and Vinzuwada, villages of the Viramgam Taluka of the Ahmedabad District ;

(b) the names of the officers who made the annewari valuation in the said villages ?

The Honourable Sir CHUNILAL MEHTA : (a) The average annewari was—

Dantisna	..	..	2 annas
Varnor	..	..	4 annas

Vanipadi	1 anna
Nayakpur	1 annas
Vinzuwada	1 annas

(b) The Circle Inspector and the Mamlatdar made the valuations and they were inspected by the Prant Officer and the Collector

#### SUSPENSION AND REMISSION OF LAND REVENUE IN AHMEDABAD DISTRICT

Mr J C SWAMINARAYAN (Ahmedabad District) Will Government be pleased to state—

(a) whether they are aware that the failure of the late rains has heavily damaged crops in the Ahmedabad District ;

(b) if so, whether any relief measures in the form of remissions or suspensions of land revenue have been adopted by them in the Ahmedabad District and if so, what ?

The Honourable Sir CHUNILAL MEHTA (a) There was partial damage in the North-West tract of Viramgam, Bhal tract of Dhandhuka and in some villages of the South Daskroi Prantij and Dholka Talukas

(b) Yes.

Remissions or suspensions have been granted as under :—

#### *Remissions of annas of*

	1922-23	and	1923-24.
Viramgam	.. Nil		9 villages.
South Daskroi	.. Nil		Under consideration
Dhandhuka	.. 9 villages		14 villages.
Dholka	.. Nil		1 village.

#### *Suspensions*

Viramgam	.. Full in 9 villages,	$\frac{1}{2}$ in 33 villages.
South Daskroi	.. Full in 15 villages,	$\frac{1}{2}$ in 17 villages.
Prantij	.. Nil	$\frac{1}{2}$ in 28 villages.
Dhandhuka	.. Full in 22 villages,	$\frac{1}{2}$ in 20 villages.
Dholka	.. Full in 3 villages,	$\frac{1}{2}$ in 1 village.

#### KANBIS AND PATIDARS OF GUJARAT.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether they are aware that Kanbis and Patidars are synonymous terms in Gujarat ;

(b) whether it is true that all Patidars or Kanbis of Gujarat were formerly regarded by Government as belonging to the backward classes ;

(c) if the answer to (b) is in the affirmative, the reasons why they have changed their policy as regards Patidars or Kanbis of Gujarat ?  
The Honourable Mr B V JADHAV Information is being collected

#### KADWA KANBIS OR PATIDARS OF GUJARAT

Mr J C SWAMINARAYAN (Ahmedabad District) Will Government be pleased to state whether Kadwa Kanbis or Patidars are regarded as belonging to the backward classes in the whole of Gujarat ?

The Honourable Mr B V JADHAV The question of treating the Kadwa Patidars as backward is under consideration

#### LANDS OWNED BY MR SHANKARBHAI PRABHUDAS

Mr J C SWAMINARAYAN (Ahmedabad District) Will Government be pleased to state—

(a) whether Mr Shankerbhai Prabhudas, the sub overseer of the Khari Cut Canal, owns land in the villages of Nay, Vasai, Jetalpur and Bareya, served with water by the said canals,

(b) if so, whether the sub-overseer acquired those lands before or after the opening of the canal,

(c) whether the departmental rules allow officers to own lands in the places under their jurisdiction,

(d) if not, why the said sub overseer has been posted at a place where he owns lands ?

The Honourable Mr COWASJI JEHangIR (a) Yes

(b) The lands were acquired after the Khari Cut Canal was opened

(c) No except for the purpose of residence.

(d) The subordinate is not now working in this beat

#### SARASPUR LIQUOR SHOP, AHMEDABAD

Mr J C SWAMINARAYAN (Ahmedabad District) Will Government be pleased to state—

(a) whether they have received a resolution of a public meeting of residents of Saraspur, a suburb of Ahmedabad, requesting them to remove the liquor shop of the suburb from its present locality ?

(b) if so, what action they have taken as regards the request ?

The Honourable Mr A M K DEHLAVI (a) Yes

(b) Full enquiry was made in 1921 and again lately Government are satisfied that the site is quite unobjectionable and fulfils all the requirements of distance from religious institutions, schools, residences and the like. Government have, therefore, taken no action in the matter.

Mr. G. K. MAVALANKAR : May I know the reason....(Inaudible).

The Honourable Mr. A. M. K. DEHLAVI : It is as has been laid down.

Mr. J. C. SWAMINARAYAN . When was it laid down ?

The Honourable Mr. A. M. K. DEHLAVI : If the honourable member has any suggestion to that effect to make I shall be very pleased to consider it.

Mr. J. C. SWAMINARAYAN : What is the minimum distance prescribed between school houses and liquor shops?

(No reply.)

Mr. G. K. MAVALANKAR : What is the maximum distance from a school within which the opening of a liquor shop is permitted?

(No reply.)

Mr. G. K. MAVALANKAR : Is it not a fact that in the heart of the city there exists a country liquor shop in the vicinity of which there is a school attended by 1000 students?

(No reply.)

#### THE KHARI CUT CANAL

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether the Khari Cut Canal is a perennial or a temporary canal;

(b) if the canal is merely temporary, why the rules of perennial canals have been applied to it?

The Honourable Mr. COWASJI JEHAUGHIR : (a) The Khari Cut Canal is a non-perennial canal.

(b) The Bombay Irrigation Act and the rules thereunder which are in force on the Khari Cut Canal are, in general, applicable to all canals in the Presidency proper, whether perennial or non-perennial. The canal, has, however, been permanently exempted from the operation of Bombay Canal rules 11 and 12 as a special case.

#### LIQUOR SHOP AT SARASPUR, AHMEDABAD.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Will Government be pleased to state—

(a) whether it is a fact that the Excise Committee has recommended in its report that liquor shops should not be located near school houses or near places frequented by women for their daily requirements of water or for the purposes of bathing or washing their clothes;

(b) whether they are aware that the liquor shop of Saraspur, a suburb of Ahmedabad, is located near the well of the suburb and near the boys' and girls' schools;

(c) whether the residents of Saraspur have requested Government to remove the said liquor shop from its present location where it is causing great trouble and annoyance to the women going to the well for their daily requirements of water and for washing their clothes;

(d) if the answer to (c) is in the affirmative, what steps they have taken to remove the grievances of the residents of Saraspur?

The Honourable Mr. A. M. K. DEHLAVI : (a) Yes.

(b), (c) and (d) The Honourable Member is referred to the reply given just now to his question on the same subject. The shop in question is not situated near Schools.

## WELL AT LIMBLA IN PRANTIJ TALUKA.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether it is a fact that at the time of acquiring the village well from the people of Limbla in the Prantij taluka, the Irrigation Department promised to keep the well in constant repairs to supply drinking water to the people of the village all the year round ;

(b) whether they are aware that the well has been since broken by its being submerged under irrigation water during the monsoons ;

(c) whether the village people applied to the Irrigation Department to repair the said well ;

(d) if so, what action Government have taken in the matter ?

The Honourable Mr. COWASJI JEHangIR : (a) The village well at Limbla in the Prantij taluka has not been acquired by the Irrigation Department and no promise to keep it in constant repairs ever given to the people of Limbla.

(b) The well not having been looked after by any one has now fallen into disrepair.

(c) Yes.

(d) The District Local Board which attends to the questions of village water supply has been written to in the matter by the local officers.

SALE OF LAND AT KUNPUR IN VIRAMGAM TALUKA FOR  
BUILDING PURPOSES.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) whether the mamlatdar of Viramgam taluka has auctioned a piece of land near the entrance of the village Kunpur of that taluka for private building purposes ;

(b) whether it is true that this piece of land has been used as a cattle stand from times immemorial ;

(c) whether they are aware that buildings erected on this piece of land would block up a public highway proceeding in both directions to adjacent villages ;

(d) whether it is true that the village people strongly objected to the said auction ;

(e) whether the village people have applied to cancel the auction and to allow the use of this piece of land as a stand for the village cattle ;

(f) whether they have received a resolution of a public meeting of the village people, requesting them to cancel the auction of this piece of land ;

(g) if so, what action they have taken in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes.

(b) No.

(c) No.

(d) There being parties in the village some villagers objected to the sale.

(e) Yes.

(f) Yes.

(g) None, as the Collector reports that he has visited the village and considers that there is no objection to the sale.

#### RELIEF TO CULTIVATORS IN AHMEDABAD DISTRICT OWING TO FAILURE OF CROPS.

Mr J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) the annewari valuation of the various crops and the average annewari valuation of the total crop in the village Bakrol-Bujrang of the South Daskroi taluka of the Ahmedabad district;

(b) whether they are aware of the scarcity of fodder in the said village;

(c) if the answer to (b) is in the affirmative, what they have done to relieve the distress of the cultivators?

The Honourable Sir CHUNILAL MEHTA: (a) The anna valuation of the various crops is shown below:—

	Annas.	Area. Acres
Jowari (early) ..	7	110
Jowari (late) ..	4	111
Ba,ri ..	8	155
Rice (irrigated) .	8	141
Rice (unirrigated) .	0	100
Cotton ..	8	498
Unsown owing to season being unsatisfactory ..		119
		1,264
Add Miscellaneous .. ..	6	156
Total occupied area ..		1,420

The average is over 6 annas.

(b) No.

(c) Does not arise.

#### GRANTS-IN-AID TO SECONDARY SCHOOLS IN THE NORTHERN DIVISION.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Will Government be pleased to state—

(a) the amount allotted for grant-in-aid to secondary schools in the Northern Division;

(b) the period during which grants are usually paid to grant-in-aid schools;

(c) whether there has been unusual delay in the payment of grants during the current year;

(d) if so, what are the reasons for the delay ?

The Honourable Mr. B. V. JADHAV : Information is being obtained.

#### DETAILED SURVEY OF TALUKDARI AND UDHAD JAMA VILLAGES.

The THAKOR OF AMOD (Northern Division) : Will Government be pleased (a) to state whether the report of the detailed survey of Talukdari and Udhad Jama villages and lands made in the year 12-13 has been published,

(b) if not, to place a copy of it on the Council table together with the report made by the Survey Superintendent to the higher authorities ;

(c) to place on the Council table copies of the orders passed by them in connection with the said detailed survey ;

(d) to state the reasons which led to the detailed survey of the Talukdari estates and lands belonging to Talukdars and Thakors, although the said estates and lands had been already surveyed by Government agency at the cost of the Talukdars and Thakors concerned ?

The Honourable Sir CHUNILAL MEHTA : The Honourable Member is referred to the reply given to him on 24th October 1924 and printed at page 838 of Bombay Legislative Council Debates, Volume XIII, Part XI.

#### THE MAXWELL SYSTEM OF RECORD OF RIGHTS.

The THAKOR OF AMOD (Northern Division) : Will Government be pleased to state whether it is a fact that the Maxwell system of Record of Rights is to be introduced ? If so, when ?

The Honourable Sir CHUNILAL MEHTA : The system in question was introduced with effect from 1st April 1923.

Sardar G. N. MUJUMDAR : May I know where this Maxwell system is introduced, *i.e.*, in which districts ?

The Honourable Sir CHUNILAL MEHTA : I presume in all the districts, but I want notice.

Rao Saheb D. P. DESAI : Is it different from the Anderson System ?

The Honourable Sir CHUNILAL MEHTA : I presume it is.

#### URDU SCHOOLS.

The THAKOR OF AMOD (Northern Division) : Will Government be pleased to place on the Council table a statement showing the number of Urdu schools in each district of the presidency proper ?

The Honourable Mr. B. V. JADHAV : Information is being collected.

#### RESOLUTION OF REVENUE SUBORDINATES' ASSOCIATION.

Mr. S. N. ANGADI (Belgaum District) : Will Government be pleased to state—

(a) whether their attention has been drawn to a Resolution passed at the Seventh Annual Conference of the Bombay Presidency Revenue

Subordinates' Association that in lieu of the present pension system provident fund system on the lines now in force in the Railway Department should be introduced for the present and future servants of Government ;

(b) if so, whether they propose to take any action in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes, if the Honourable Member is referring to the Sixth Annual Conference held last April

(b) Revision of the Pension Rules and institution of Contributory Provident Fund Rules are under the consideration of the Secretary of State. Until those rules are received the question cannot be considered.

#### THE BOMBAY PROHIBITION BILL

MR. R. G. PRADHAN (Nasik District) : Will the Honourable Minister of Agriculture and Excise be pleased to state

(a) whether he is aware that previous sanction under section 80C of the Government of India Act has not been granted to the Bombay Prohibition Bill proposed to be introduced in the Legislative Council by Mr. R. G. Pradhan, M.L.C.

(b) whether his advice was asked for on the question as to whether previous sanction to the introduction of the Bill should be granted or not ;

(c) if no regular or formal advice was asked for, whether he was in any way and to any extent consulted on the question

(d) if so, what advice he gave or what views he expressed ?

The Honourable Mr. A. M. K. DEHLAVI : (a) and (b) Yes.

(c) Does not arise.

(d) It is contrary to constitutional practice to disclose the advice given by a Minister to His Excellency the Governor.

The discretion in this particular case vested solely in His Excellency under section 80C of the Government of India Act, and had nothing to do with the administration of the Excise Department.

MR. R. G. PRADHAN : If the Honourable Minister does not disclose the advice he gives to the Governor how are we to know that the Minister is discharging his responsibility properly ?

The Honourable Mr. A. M. K. DEHLAVI : From the manner in which he administers the departments in his charge.

MR. R. G. PRADHAN : Did the Honourable Minister protest against the action taken under the Act ?

(No answer).

*(Further consideration of Court-fees Act Amendment Bill resumed.)*

MR. S. S. DEV (West Khandesh District) : Sir, whatever else we might think and say of Government one thing is certain that their patience is admirable. This bill was introduced in 1924 and it was thrown out by the honourable House. Not daunted by the defeat, they again tried



[Mr. S. S. Dev]

to introduce it last year and it was, I believe, wisely withdrawn by Government. Again they have brought it this year and I am pretty certain that Government will never rest satisfied until they see that this bill finds a permanent place on the statute book. I only wish that the tenacity of the Government benches will be copied by this side of the House. The bill was introduced in 1924 and we threw it out. I hope it will meet the same fate this year also. The Honourable the Finance Secretary has offered a bait, has placed a trap before us to catch some of our votes. We must beware and must not fall into the trap. The Secretary says he is prepared to accept Rao Baha'ur Kampli's amendment that the bill should not affect claims up to Rs. 5,000. May I ask him whether he is prepared to accept all the amendments put forward by the honourable member Rao Baha'ur Kampli? Claims up to Rs. 5,000 is not the only point. There are 101 points of attack and as a matter of fact the whole bill ought to be rejected.

Government benches may not be aware how even the present scale of court-fees is affecting the poor agriculturists in the mofussil. I may say from my own experience that some agriculturists are prevented from taking the benefit of our law courts, because they have no money to pay the court-fees, the process-fees and half a dozen other fees. Even the present cost of litigation is so heavy that poor people painfully realize that law courts are reserved, as it were, for the rich only. In the face of the present growing poverty, even the present rates of court-fees are felt as prohibitive by the poor. And yet you intend, Sir, to enhance the rates. That would mean courts are shut against the poor. Sitting in Bombay you may not be able to appreciate to what state of poverty these people have been reduced. If opinions are invited from the mofussil bar and the bench on this bill, I am sure that nine out of ten will not favour the bill.

One thing more I may say. No necessity has been made out for this bill. The budget has taken into consideration the estimated increased income from the Stamp Act but not from the court-fees and the third taxation measure. Probably Government are not serious. I at one time thought that the Honourable the Finance Member would wisely withdraw this bill and the other after they secured the extension of the Stamp Act. But evidently success in carrying the first reading of the Stamp Bill has encouraged them to introduce this measure also. This attitude might be quite fair even in actual warfare for the victorious party, much less in a constitutional fight. The enemy is prostrate before the Government and it does not behove them to press on. We simply ask Government to give us some breathing time, that the Presidency may be prepared to receive your fresh taxation blows. But apparently success has infatuated the Government. I ask non-official benches to copy the tenacity of purpose of the Government benches and throw out this bill.

In the year 1922 when this bill was introduced the Honourable the Finance Member was going to be satisfied with a closing balance of only two crores. He had then introduced the bill because the closing balance

[Mr S S Dc.]

had gone below two crores. But now on closing balances are going to be more than four crores. There is therefore no necessity to introduce this bill. Besides they have got success in one bill. Can not Government resist the temptation of inflicting defeat after defeat on the non-official benches? I hope she will withdraw this bill.

Mr B. G. PAHALAJANI (Western Sin.) : Sir, the Honourable the Finance Member defends the bill entirely on the ground that more money for expenditure is necessary. Fine out of number we have been told by Government (and) that no more retrenchment will not be possible and therefore we ought to have expenditure as it stand in the budget. The honourable member Mr. Noor Mohamed in the course of his speech yesterday pointed out that the recommendations of the Retrenchment Committee had not been treated with sufficient courtesy. There are many avenues in the report of the Retrenchment Committee which can be adopted by Government for the purpose of retrenchment. I may even go further and say that it is the duty of the executive Government to effect retrenchments. If it were given to the non-official benches to go into the details of every department and suggest retrenchments, they will be able to show the avenues for retrenchments, but when the reins of administration are in the hands of a particular portion of the House, it is not for this House to suggest retrenchment in the expenditure.

I may bring to the notice of the House that in 1922 while voting on budget grants the non-official side did not go into details of retrenchment and did not care to suggest in which particular department, whether the Home Department, Legal Department or Revenue Department, retrenchment should be made. The non-official side only insisted that 60 lakhs should be cut.

The non-official side only directed that a 60 lakhs cut should be made. It was the function of the executive side to see how those 60 lakhs should be cut. Now, when that cut of 60 lakhs was directed by the Council, Government set themselves to retrench, and at the end of the year, it retrenched not only 60 lakhs but 75 lakhs in addition. Before accepting that cut, Government, just as they stated yesterday, had stated that there was no direction in which a cut could be made, but the next day they accepted a cut of 60 lakhs and at the end of the year came to this Council and showed that they had made an additional cut of 75 lakhs. Therefore, it is entirely for the Government to look into how the cut should be made, and it is entirely for the non-official side only to order that retrenchment shall be made. The only way in which we can now force the Government to retrench is to refuse the levy of a tax which will give Government a margin to spend from.

Another point in connection with this retrenchment is the threat that has been held out by the official side specially the Finance Member in his budget speech, the honourable members the Legal Remembrancer and the Home Secretary repeated the threat in their speeches yesterday, the threat that if retrenchment is made, it will be not only the reserved departments but the transferred departments will suffer.

[Mr B G Pahalajani]

That threat, Sir, has been repeated *ad nauseum* before this House and it is high time that it is no longer repeated. In reply to the challenge given by my honourable friend from Poona, two Honourable Ministers rose and supported the stamp duty. I wish that they as elected members should not have risen to do so. From the figures presented in the budget, I shall presently show to this House that the transferred departments are already suffering and are not in any way benefitted by taxation. The two transferred departments of any consequence are the department of education and the other controlled by the Honourable Minister for Local Boards and Municipalities. The Honourable Minister for Local Boards and Municipalities held out a certain inducement—I will call it a certain threat—to the non official side that the clamour of the local boards and municipalities for further grants will not be met if Government does not get money by taxation. It is easy to reply to that threat. I say that the contribution that the Honourable Minister is making for health purposes or water works is a sum of 49 lakhs, but that is met out of loan funds and not from the current revenues. If you turn to page 274, you will find that out of current revenues the only amount of any consequence that is advanced to local bodies for their public works is a sum of 19 lakhs. It was 18.42 lakhs last year, and it is only 19 lakhs now.

The Honourable Sir GHULAM HUSSAIN: When was it 18.42?

Mr B G PAHALAJANI: Last year I am giving the figure for the benefit of the honourable member. In the pre reform days, in 1919-20 and 1920-21, when the Honourable the President (Sir Ibrahim Rahimtoola) was in charge of these departments, the contribution given by Government to the local boards was 15.73.

The Honourable Sir GHULAM HUSSAIN: By which Government was it given? State the facts correctly. It was not given by the Bombay Government, but by the Government of India.

Mr B G PAHALAJANI: 15.73 and 15.62—that is what is shown in the Bombay Provincial Budget of 1919-20. That can be found easily in the library. I referred to it yesterday. The contribution that was given to the district local boards was 15.62 and 15.73. Then, Sir, coming to the regime of the present Minister, in 1923-24 and in 1924-25 we find a contribution of 11 lakhs of rupees, or 4½ lakhs less in 1923-24 and 1924-25 than in 1919-20. So, Sir, while the enhanced stamp duties and the court-fees were in force in the years 1923-24 and 1924-25 the Honourable Minister was able to give to the district local boards a sum of 11 lakhs against a sum of 15½ lakhs in the two years 1919-20 and 1920-21 given by the Honourable Member then in charge, the Honourable the President. So, Sir, 18.42 lakhs last year and 19 lakhs this year is a small advance of 3 lakhs, after a starving for two years by a reduction from 15 lakhs to 11 lakhs. Therefore, to say, that there has been a real advance in the grants made to local boards is not warranted by the figures in the budget.

Now, I will proceed to Education. What are the figures for education? It has been stated times out of number that education has benefitted

[Mr. B. G. Pahalajani]

by the administration of the Ministers. I deny that—I am not excluding the past Minister, nor am I excluding the present Minister. I must submit to this House that the past Minister was as much to blame in not demanding more from the Government as the present Minister in surrendering 4·30 lakhs from the grants that were made to him last year. List of contributions is shown in the memorandum given at page 28-29 of the Blue Book. In 1917-18 and 1918-19 when Sir Ibrahim Rahimtoola was in charge of this department the Government laid down a policy of providing one school for every village capable of filling a school on voluntary basis. He was then able to get the grant raised from 80 lakhs in 1917-18 to 107 lakhs in 1918-19 an increase of 27 lakhs, and from 107 lakhs in 1918-19 to 129 lakhs in 1919-20, an increase of 22 lakhs—that is a total increase of 49 lakhs in three years. We find from the budget that in the succeeding three years the increase was 29 lakhs only. That is the last Minister was able to get an increase of 29 lakhs only. I must also state that in the first year, when the present Minister of Education took charge, there was a sudden increase of 25 lakhs given to him, but that was given before he took charge—it was in the budget prepared by the honourable member for the Bombay University.

Therefore, so far as the ministerial side in the Education Department is concerned there has been no substantial increase in the grants in spite of the increased taxation we have had to pay and in spite of our being told from time to time that all that additional taxation on entertainments was being levied for the ministerial departments. That is the state of affairs indicated by the table given by Government at pages 28-29.

Proceeding further, in 1922, when the Entertainments Bill was passed into law, an undertaking was given by Government that all the amounts of that tax would be appropriated to primary education.

Now does it mean that while Government undertakes to appropriate the amount arising out of a particular tax to a particular branch of the Department, *viz.*, Education, Government thereby should not contribute a normal rise in the demand. Does it absolve Government from the responsibility of making a normal increase in the grant to education which it will do if the tax is not in for it? Does the grant of a special education cess allow the Government to decrease this usual grant.

If we deduct these amounts this department has hardly 11 or 12 lakhs of rupees addition for education. I therefore submit that the non-officials should insist as the past Minister for Education said yesterday, that if taxation is levied that tax should be devoted to the particular purpose. But we have learnt from past experience that the taxation that has been levied by the entertainments tax has not been actually devoted for the purpose for which it was levied. I therefore submit that court-fee taxation should not be levied at all. After all what is this taxation intended to give. You have got the figures for the years in which this Act was in force. In one year the Court-fees yielded in

[Mr. B. G. Pahalajani]

judicial stamps 8 lakhs of rupees in excess of the previous year. In the second year it yielded 1 lakh of rupees over the figure for the year when it did not exist. The whole income out of court-fees during the last 2 years was 9 lakhs for the taxation period over the figure for the non-taxation period. Is this House going to tax the people to this extent by increasing the court-fees impost when it does not exceed more than 1 lakh of rupees in the last year of its existence. The probate fees was 7 per cent. in the higher grades, it is now proposed to keep it at 5 per cent. Under the enhancements of 1922 the scale of fees began from Rs. 500. According to the statement of the Government yesterday the figure whence enhancement will commence will be Rs. 5000. In that case, I say, Sir, that the increase of income that is expected will not be 1 lakh of rupees but only Rs. 50 000 at the same time working great hardship upon the poorer classes in the case of summonses, notice fees, application fees, appeal fees. I will therefore submit that this bogie that has been held out from time to time by the honourable members on behalf of Government that Education and Local Boards will be starved should not be held out to us any more. If this Council insists on this, too often Government will be compelled to repent; as this Council did in 1922 when Government was compelled to retrench and they know the best way to retrench. This tax is not a tax which will work in the slightest degree in favour of Government and will be a great hardship upon the poor classes.

The Honourable Sir GHULAM HUSSAIN : Sir, the position of the Ministers is a peculiar one. If they remain quiet, the other side won't allow them to do so, but try to belittle their efforts as much as possible. In reply to the statement of the Deputy President that I have done absolutely nothing, I will refute his allegations. As usual the Deputy President has made mis-statements as regards figures and facts. But I will presently expose the hollowness of his argument.

Now, Sir, the Deputy President stated as regards grants-in-aid for roads in the local board areas that in 1920-21 and before, about 15 lakhs were given. It is true that about 15 lakhs were given as grants to the local boards for roads. But the question is, how was this sum composed. This point I explained to the House in 1921-22 when the honourable member the Deputy President was a member of this House. Out of these 15 lakhs nearly 7 lakhs were given as grants-in-aid by the Government of India. But the contribution from the provincial revenues was only 8 lakhs. But, after the provincialization of the finances, the Government of India stopped their grant. So, instead of 8 lakhs, we gave in 1921-22 about 15 lakhs. In 1922-23 owing to retrenchment it was reduced to 11 lakhs.

Mr. B. G. PAHALAJANI : May I interrupt the Honourable Minister ? That figure is not correct. That can be proved from the budget of 1921-22.

The Honourable Sir GHULAM MUSSAIN : I will show him the figures. They are shown under 11—Civil Works, if I mistake not. If the honourable members of this House read my speech they will find that I made the position clear in those days. The fact is that, out of this 15 lakhs, the Government of Bombay used to get nearly 7 lakhs for this purpose from the Government of India as grants-in-aid. Now this 11 lakhs have been raised to nearly 19 lakhs. But apart from that, the honourable member ought to have realised as regards the education budget in 1921-22 that in 1920-21 we had a windfall in the excise income, and so our position was very much better that year. If the honourable member totals up all the grants to the local boards alone during the last 5 years, he will find that the grants have increased nearly 30 to 40 per cent. I have given this House the explanation that nearly 7 lakh used to be got from the Government of India as grants-in-aid.

Then, Sir, I am surprised to find that everybody here, except members on the opposite benches, professes to represent the poor agriculturist, as if I do not represent the poor agriculturist. How many poor agriculturists will be able to lend Rs. 5,000 which is the limit of exemption under this bill? Also, how many poor agriculturists will be able to get a loan of Rs. 5,000? It is the money lender that will suffer, and it is, for this reason, that some of my honourable friends have voted in favour of the money lender. But the poor cultivator will pay the same stamp fee if he goes to court for Rs. 5,000 as he used to pay on Rs. 1,000 formerly, and anybody can see that a poor agriculturist, because he has not enough money to lend to anybody, cannot go to court to file a suit. If he is a poor agriculturist, nobody will give him a loan of Rs. 5,000. If his opponent goes to court and obtains a decree, he will have to pay the costs. Who will lend Rs. 5,000 to a poor agriculturist unless he is an idiot or a fool? The poor agriculturist has been represented in this House as one who has nothing to live upon. Then who would be so foolish as to lend him Rs. 5,000?

Now, Sir, an honest attempt, as admitted by the honourable member the Deputy President, at retrenchment has been made and every department has been cut to the bone; so much so that representations from the Sind Hindu Community were made to the Honourable the Home Member that there was no safety for them and there should be more police, and we also used to read in this big city of Bombay of the Pathan terrorism. In fact, if the honourable members carefully look at the budget, they will find that every progress has been made in the transferred departments.

Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities) : Sir, it will be interesting to see what the position was when the Court-fees Bill was introduced in the year 1922. At that time Government consented to make a cut of 60 lakhs, and only on that consent this House gave its consent to entertain the Stamp Act and the Court-fees Act. Sir, at that time, money was pouring in, people were thriving, the value of property was rising very much. People did not know where to keep their money. But, Sir, the times have entirely changed now. People cannot borrow to-day even Rs. 500, while in the year 1922 they could

[Khan Sahab A. M. Mansuri]

borrow Rs. 5,000 or Rs. 10,000 simply on a mere word of honour. This is the state of things at present. Sir, this court-fee is not the only thing, but with it there are so many other things necessary. With the court-fee there is process-fee, the bailiff's fee, the pleaders' fee and his clerk's fee. The fee which a pleader charges now is Rs. 100 for the work for which he used to charge formerly Rs. 25 or Rs. 30. I know of pleaders who ask Rs. 100 for notices only. Sir, leaving aside the pleaders' fees one has to pay Rs. 10 (ten) for every Rs. 100 paid to the pleader to his clerk. This is the state of things now. So taken as a whole, this court-fee could work very hard on the people; it has been tried to be made out every time that the agriculturist suffers, he comes in every time. But where do the common ryots disappear? It will be as hard upon the common ryot as on the agriculturists. But since there is an amendment of my honourable friend Rao Bahadur Kambli whereby suits up to Rs. 5,000 will be exempted from the operation of this bill, I would certainly welcome this Court-fees Bill.

The Honourable Mr. B. V. JADHAV : Sir attempts are made to convey an impression that the Government benches are rather fond of bringing forward taxation bills. But let me assure this House that the Government benches and especially the Finance Member think that it is a great misfortune that on the eve of his departure there should have been the necessity of such a proposal. There is a heavy deficit of 60 lakhs and Government realise that they have to try their best to make up as much of that deficit as possible. But, Sir, I want to put before this House one point, which is that responsibility for the finances of this Government mainly rests with the Meston Settlement. (Mr. B. G. Pahalajani : We have had enough of it.) In the pre-Reform days, Sir, there was the provincial contract and this Government had the control of some of the taxes which were expanding and afforded larger amounts for the necessary expansion in the nation building departments. But since the wicked Meston Settlement our resources have crippled, and with the slump in trade our finances have fallen into this deplorable condition. It was expected, Sir, that this year at least this Presidency would be fortunate in getting a dole from the Government of India. But the speech of the Finance Member, Sir Basil Blackett, shows that Bombay cannot expect anything this time. Madras has been very fortunate in this respect, and when I was there last time, I made enquiries as to how they had succeeded in getting the Government of India to remit such a large portion of their contribution. I was told Madras had been strenuously working for that reduction for years. Not only did Madrasis condemn the Meston Settlement in their speeches in the Legislative Council, but on the public platform and in the public press, the inequity of that settlement was exposed often and often. The district local boards and the various conferences that held their sessions throughout the districts always discussed that question, and in this way a volume of public opinion was created which the Government of India found it was rather difficult to resist. I think we shall have to copy that example and raise our protest every now and then against the Meston Settlement.

(Mr B. V. Jadhav)

It was the practice of a famous Roman orator to commence his harangues with "Carthage must go down". I think we shall have to imitate that example and have to say that the Meston Settlement ought to be thrown aside.

Much has been said here, Sir, about the necessity of retrenchment and I heartily support that view. I am for retrenchment. But let me assure this House that too large hopes cannot be built upon this source of retrenchment.

Many a person thinks, Sir, that the indigent poor can be clothed from the trimmings of the vain. But whatever superfluity there may be the number of the poor is so very large that the extravagances of a few rich people cannot supply the deficiencies of the poor. The same is the case with finance. Retrenchment is necessary, economy is essential, but for the ordinary expansion of amenities and of services and other things one cannot merely depend upon retrenchment and it is necessary that we shall have to bear the burden in the shape of fresh taxation.

I here express my obligations to the leader of the Swaraj party who gave to this House three sound canons for taxation of which two, he said,.....

The Honourable the PRESIDENT : The canons were enunciated by the Honourable the Finance Member and Mr. Bhopatkar was only quoting him.

The Honourable Mr. B. V. JADHAV : The canons enunciated by the Honourable the Finance Member, two of which he was good enough to admit were very well applicable to the present taxation. The present taxation was easy to collect, and there was very little chance of leakage. The honourable member the leader of the Swaraj party was against allowing the first reading of this bill on the ground that it would press very hard upon the poor agriculturist. I am very much obliged to him for being so very solicitous about the poor agriculturist, and this House will allow me to assure the honourable leader that there are certain clauses in this bill which do not affect the poor agriculturist at all. The bill as presented to this House contains some clauses which may adversely affect the poor agriculturist no doubt, but when the bill is referred to a select committee, those clauses which are likely to injure the interests of the agriculturists can be easily dropped and the clauses that will not press heavily upon him at all, and the clauses that will affect the rich classes only can be retained. I appeal to this House to take these things into consideration and to vote for the first reading of this bill, so that when it is referred to the select committee the clauses that will affect the poor agricultural classes will be dropped and the bill improved so as to satisfy the third canon which will meet with the approval of this House.

An Honourable MEMBER : I move for a closure.

The Honourable the PRESIDENT : Closure has been proposed. I waited at half-past-three to see whether closure would be asked ; it would have then accepted it, because I wanted to give from twenty to thirty minutes to the Honourable the Finance Member for his reply



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on a very long and interesting debate. But no one asked for it. If closure is applied at this stage that speech will not be completed. I should like to know what the wishes of the House are, whether they desire that closure should be accepted now, or whether a little further discussion may be allowed, in order to enable the Honourable the Finance Member to start his reply immediately after tea time, to finish it, and then go to vote. I think the matter has been discussed sufficiently long, and I would have at once accepted the closure if it had been asked for at half-past-three. I waited before calling upon the Honourable Minister for Education to speak, in the hope that closure might be asked for. In view of the time at present, I should like to know what the wishes of the House are. Personally, I am inclined to think that it would be but fair to give the Honourable the Leader of the House sufficient time to reply on the whole debate, and that time is not available unless he is asked to carry over his speech till after tea time, which is hardly a fair way of dealing with the question. Personally I think that we might go on with one or two brief speeches, then adjourn for tea, and immediately after tea if closure is asked I will call upon the Honourable the Leader of the House to reply. If any other arrangement suits the House better I am quite prepared to consider it.

(After a pause.) I take it that the House agrees with me. The Honourable the Leader of the House will begin his speech after tea time.

Sir LESLIE HUDSON (Karachi Chamber of Commerce): Sir, my honourable colleague in his remarks yesterday stated that the constituency which we represent, namely, the Bombay Chamber of Commerce, are opposed on principle to any fresh taxation which will add to the burden already carried by the trade of this port of Bombay. The Secretary of the Finance Department yesterday evening informed the House, I believe I am correct in saying, that Government is prepared to accept at any rate in part the amendment of an honourable member which has been placed before the House. If Government is prepared to allow the bill to go to a select committee, and the select committee be allowed to make amendments to the bill on the lines of Rao Bahadur Kambli's amendment, if it is found necessary after full discussion, I think that will remove a great many of the objections of some honourable members, and I think my honourable colleague and myself would be prepared to agree to the first reading of this bill. We do not in any way resile, however, from the position which we have taken up, namely, the principle that there should be no further taxation which would impose fresh burden on the trade of the port.

Mr. C. M. SAPTARSHI (Ahmednagar District): Sir, the Honourable Minister for Local Self-government said in his speech that he would demolish the whole of the arguments of the honourable member the Deputy President. I was very particularly attentive to his speech, but I say that he spoke on anything except the points that were raised by the Deputy President. Now, Sir, there is one important point made by the honourable member the Deputy President to which there was no reply at the hands of the Honourable Minister for Local Self-Government.

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What is the amount of money which the Honourable the Finance Member expects to raise as a result of the passing of this bill? That is what I want to know. The total deficit is Rs. 60 lakhs. You have already had your stamp duty which would give you about Rs. 20 lakhs. How much do you expect from this bill, after accepting the amendment suggested by my honourable friend Rao Bahadur Kambli? Now it must be admitted that the amendment suggested by the honourable member Rao Bahadur Kambli will materially affect the amount that will be realised by the result of the Court-fees Bill. It must at least reduce the amount to 50 per cent. Now what was the actual collection as a result of this Court-fees Act in the year 1922-23 and 1923-24. I find, Sir, from the figures at page 2 of the Blue Book that the actual collection in the year 1921-22 was only 79 lakhs and 48 thousand, whereas in 1922-23, a year in which the tax was raised, it was only increased by 2 lakhs, that is to say 81 lakhs 78 thousand. So in that year on account of Court-fees we realised an additional revenue of 2 lakhs and 78 thousand. It is only in the year 1923-24 that the court-fees revenue went up to 88 lakhs 69 thousand. So that for those years for which the Act was in force we only realised about 10 lakhs more than the original revenue. So that though we increased the taxation to 50 per cent. the actual income was only raised yearly from 6 to 10 per cent. That was the result of the raising of the tax. As a matter of fact, in the very year in which the tax was actually imposed, we only got 2 lakhs, so that by imposing this additional tax now with Rao Bahadur Kambli's amendment Government might get only from 2 to 3 lakhs and that would only be a small victory to them. So there would be no substantial gain if Government accepts the amendment proposed by my honourable friend the honourable member Rao Bahadur Kambli unless Government want to have the satisfaction of having carried the bill in this House and thus obtained a moral or perhaps an immoral victory over the non-official opposition.

I expected honourable members opposite and especially the honourable member the Home Secretary and the honourable member Mr. Wiles to have paid particular attention to these points. There has been no promise on the part of the Home Secretary or on the part of the Honourable the Finance Member that they would carry on some retrenchment in their departments. While addressing this House yesterday, the honourable member the Home Secretary said that he would willingly co-operate in the non-official view that there should be retrenchment. But we have had several such lip assurances during the last three years. We have been used to such assurances and I am very glad to find that the Honourable Minister of Education and the Honourable Minister of Local Self Government have also given us the same assurance as the honourable member the Home Secretary. Let me assure the honourable member the Home Secretary and the Honourable Ministers of Local Self Government and Education that if Government takes us in confidence to consider through a committee of both sides of the House to find out

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ways for retrenchment, we can suggest retrenchment to the extent of 50 lakhs without materially affecting the efficiency of the administration. The only difference between the non-official benches and the official benches as regards retrenchment is that when we consider any item as unreasonable expenditure, they consider it to be reasonable. After referring to schedule E in the Blue Book we find that this Government has saddled on the House several important items of recurring expenditure to the extent of several lakhs. Our expenditure before 1921-22 was 12 crores. It has arisen by 2 crores. This House has been protesting always that we are increasing our expenditure year by year and we have been suggesting retrenchment and the argument on behalf of the bureaucratic Government has been that any retrenchment would come in the way of efficiency.

I will tell the Honourable Minister for Local Self-Government, who has been translated to the official benches for the last six years and who has been lately knighted for which I congratulate him, that though he claims to know something of the villages, he knows very little of the villages and that his knowledge of the villagers is only so much rusty that it is hopeless to expect any sympathy from him.

If the Honourable Minister for Local Self-Government comes to my district where we cultivate sugarcane, I will show him the poor agriculturists, who are taking loans to the extent of five thousand rupees for cultivating four or five acres of sugarcane, because let me tell him that the cultivation of one acre of sugarcane in our district costs one thousand rupees and this amount the cultivator has to borrow from the sawkars. If he comes to my district, I am prepared to convince him that poor cultivators are bound to suffer if this bill is accepted, because if the court-fees are enhanced, who is to suffer ultimately? Not the sawkar or the plaintiff, but the defendant, i.e., the poor cultivators in this presidency.

The Honourable Sir GHULAM HUSSAIN : Sir, I rise to a point of explanation. I never knew of a poor cultivator, who can borrow to the extent of five thousand rupees.

Mr. C. M. SAPTARSHI : Let me assure the Honourable Minister that in our district, there are poor cultivators who have to borrow to that extent for cultivation of 4 or 5 acres of sugarcane on the mortgage of their crops ; and cultivating 4 acres is not considered to be substantial cultivating.

Now, Sir, there is only one point to which I shall refer and then conclude my remarks. The honourable member representing the Indian Merchants' Chamber has raised the other day a very important point during the discussion of the Stamp Act, and that was this : He said that we have got a large balance to the extent of several crores and out of that balance, we have invested about 103 crores for the Sukkur Barrage, and he said that this policy of Government to invest money from our balances on speculative concerns is economically unsound. That was the point that was made the other day by the honourable member Mr. Lalji

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Naranji. To that point the Honourable the Finance Member has replied that we are charged by the Government of India interest to the extent of  $5\frac{1}{2}$  per cent. and we are now allowed to charge on our balances interest to the extent of  $3\frac{1}{2}$  per cent. We have thus, he said, saved interest charges to the extent of 2 per cent. on the loan to the Sukkur Barrage. Now, Sir, in reply to that argument I put it to the Honourable the Finance Member whether the scheme for the Sukkur Barrage is not a doubtful scheme. I invite the opinion of the Chief Engineer, Sukkur Barrage, whether the question of drainage in that scheme is not a very important question and I ask Government whether on all these grounds the Sukkur Barrage Scheme is not a doubtful scheme and whether in that scheme we may not have another Back Bay bubble. I, therefore, warn Government that we ought to be very cautious before we invest our balances on doubtful schemes like the Sukkur Barrage. Let me tell Government that they should not follow the policy of a miser, who hoards large amounts of money and spends them on speculative concerns with the hope of doubling that money and goes on squeezing his debtors for his daily bread. That is the policy of the Honourable the Finance Member at present. Let me tell him that this policy is not sound and the suggestion, made the other day by the honourable member Mr. Lalji Naranji, that we ought not to have given one hundred crores out of our balances for the Sukkur Barrage, is a sound suggestion and ought to have been followed. I, therefore, submit that the whole House will not fall an easy prey to the dividing policy which is being followed by Government, and I hope that the whole House will stand united in their opposition to this measure.

Mr. V. R. KOTHARI : I move the closure.

The Honourable the PRESIDENT : I accept the closure. I call upon the Honourable the Leader of the House to reply.

The Honourable Sir HENRY LAWRENCE : Mr. President, I think that everybody in the House is satisfied that every argument which human ingenuity can possibly invent has been fully set forth against this proposed bill. The task now before the House is merely to estimate the combined value of all those arguments and to judge whether they are in fact conclusive against this bill.

I will first mention the points which have been raised by the last speaker. The honourable member from Ahmednagar has taken the point that Government would obtain no benefit from this increase of taxation. He was more solicitous of the revenues of Government than Government themselves. He pointed out that when we raised this tax four years ago we had obtained only one or two lakhs increase of revenue. Sir, that point has been explained in my budget speech and I regret very much that the budget speech has failed to carry home to the members of this House. In paragraph 22 of that speech I stated as follows :

" Our third main source of revenue is Stamps, Judicial and non-Judicial. Revenue from this source has also remained stable at between 164 and 180 lakhs in consequence of certain adjustments, some favourable and some unfavourable.

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" In 1922 we obtained the sanction of this House to the revision of the Tax Schedules which was estimated to bring in some 60 lakhs of rupees. The disastrous slump in trade deprived us of this increase, but the new schedules kept up the revenue at its present figure of over 175

" When the House refused the renewal of court fees in 1924, the loss was counter-balanced by a slight improvement in business and by the negotiations with the Government of India which gave us a further revenue of nine lakhs from the Unified Stamps of all India "

Sir, matters of taxation are not matters of simple arithmetic : economic factors also affect taxation one way or the other. That was the argument that I hoped to have made plain in my budget speech, but clearly I have not done so to the satisfaction of that honourable member. The honourable member also stated that if we had a deficit this year of 60 lakhs, then we had already obtained 20 lakhs by the bill that was passed yest r-day. The honourable member has not sufficiently studied the papers before this House, for it has been clearly stated in the introductory note of the Finance Secretary that the budget has already made provision for this 20 lakhs in the continuance of the bill that has been accepted yesterday, and therefore those 20 lakhs are not available to cover the expected deficits.

The honourable member for the Chamber of Commerce has stated his view that this bill may be referred to the select committee and asked for some assurance that the amendments which are before this House would be considered in the select committee. That assurance I am only too glad to give. Those amendments will be put before the select committee and Government will give their best consideration to the question whether they can be accepted. In so far as the poor agriculturist is concerned—and in the definition of the words " poor agriculturist " I do not know if the House will accept the view of the honourable member for Ahmednagar that men who deal in loans of Rs. 5,000 and over are to be considered poor : that is not the standard which is accepted in the greater part of the presidency—I wish to make it perfectly clear that Government are prepared to raise the minimum so as to exclude any chances of hardship to men who, in the common judgment, may justly be considered poor.

Sir, to my mind, the most important argument which has been put forward in the House is the suggestion that retrenchment is yet possible. I should like to make it quite clear to the House that in all suggestions for retrenchment the members of this House have the entire sympathy and support of the Finance Department. But that is one of the principal tasks on which the Finance Department is engaged throughout the year. I suppose it is very rare to find a case where an administrative department points out some new work to be undertaken, some new staff to be entertained, then the Finance Department does not state that that work can be efficiently carried out with a rather smaller staff and at rather smaller cost. That I think will be admitted as one form of retrenchment. Then again when any administrative department asks that a certain work should be undertaken, it is not uncommon for the Finance Department to reply that funds are not available. It will

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be understood of course that this formula would quite conceivably cover the opinion of the Finance Department that the proposal would be a waste of money or is in itself unsound. But if you can get your way with politeness, it is of some advantage perhaps in not putting your point of view with unnecessary offensiveness, in accordance with the old Persian proverb that oil is more valuable than vinegar. As I have said, Sir, retrenchment is entirely in accordance with the sentiments of the Finance Department. But it is not an easy task to retrench. It is not sufficient merely to have the will and enthusiasm for a purpose: it is necessary to have certain powers of industry and alertness and a faculty of critical comparison and some knowledge and some experience, and then only we can get constructive suggestions. The field in which retrenchment is possible is very great. We have a normal expenditure of 15 crores of rupees, or 150 millions of rupees, and that is in addition to the extraordinary expenditure on irrigation projects and development, which amounts to another 3½ crores, or 35 millions. The task of watching this expenditure of nearly 200 millions of rupees, and stop a gap here and a leak there, is very heavy. While the Finance Department fully recognise the value of the work that is done by the heads of administrative departments, there can be no doubt that some further economies can from time to time be secured. I would, Sir, with the greatest gratitude, receive the suggestions which I asked for in my budget speech pointing out that such and such item of expenditure is unnecessary and extravagant. But the number of such suggestions that we receive is very small. The combined experience and knowledge of the members of this House regarding the details of the administration is not small, but our experience is that the number of suggestions for increased expenditure is very much greater than the number of suggestions for decreased expenditure. We are being constantly asked to sanction additional allowances here and increases of pay there; we are being asked to contribute to some scheme of admitted public benefit one time after another; while the necessity for new bridges, new roads, new hospitals is being pressed upon us. We are told on the other hand to decrease our sources of revenue; there are even some enthusiasts who ask for the total abolition of fees from hospitals; and we are asked to reduce fees for higher education. We are, I may say, bombarded with suggestions coming sometimes from the same persons, for a combined reduction of revenue and increase of expenditure.

We have received very few suggestions that will give us more revenue and reduce our expenditure. There are one or two exceptions to this statement. Some were made in the course of this debate. My honourable friend from Hyderabad (Sind) made a suggestion which I shall certainly cause to be investigated. He stated that a particular branch of the Police Department in Sind was strengthened when certain political activities were rife and needed special protection; that that branch has not been reduced now though all these political activities have fallen out of popular favour. I refer to the Khilafat agitation and the non-cooperation movement. If some special staff was in fact engaged

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for the purpose I will certainly ascertain whether it may not now be dispensed with. I am very grateful to the honourable member for this concrete suggestion. The honourable member for Bombay North may perhaps ask that the lime light should also be diverted upon him (laughter). He has unfortunately slipped into some error in regard to his facts. I think the House will appreciate that when the honourable member asks us to follow him upon a dark path, they had better take a light with them and look before they follow. I will not deal with the manner of the honourable member's suggestions, but with the substance. The honourable member tells us that that manner is popular with assemblies in the Bombay City. The comparison of this House with the poetical admirers of the honourable member is a delicate compliment to the House which the House will no doubt appreciate. There is an old ballad once popular in England the chorus of which ran: "It was all very well to dissemble your love, but why did you kick me downstairs". A party whose representatives descend from the top of the poll to the bottom can heartily join in that old chorus. And as to the substance let us take the allegation of the honourable member that if the budget had not been burdened with interest on the Development Department loan, this taxation would not have been necessary. The honourable member refers to page 74 of the White Book and asserts that we have burdened the budget with a sum of 66 lakhs of interest on the development loan. I regret very much that it should be possible for the honourable member to fall into this error; and I will ask the Development Department to make it impossible for such an error to be repeated in future. There is an old saying: "There are none so blind as those that will not see". For against this figure on page 74 of the White Book there is the letter A and a note at the bottom of the page which states that 18·63 lakhs will be met from provincial balances. It has been explained over and over again to this House that interest on the development loan is being met from borrowed money, and it is hoped to recoup that interest in the end from capital repayments. That note indicates I hope quite clearly to the normal intellect that only this sum of 18·63 lakhs is a charge against our ordinary budget out of this sum of 66 lakhs. This figure of 18·63 lakhs is a portion of the 20 lakhs which the House has been informed is the subsidy this year from provincial revenue to the Development Department. But the fact is not merely stated in that little note on page 74 where it may escape notice. The same fact is repeated over and over again in the Blue Book placed before this House. The information regarding the 20 lakhs will be found in paragraph 11 of the note of the Finance Secretary on page 39 of the Blue Book. The figure of 18·63 lakhs has also been explained on page 75 of the Blue Book, paragraph 100. It is further explained on page 217 of the Blue Book, sub-paragraph 7. All these explanations have escaped the honourable member's notice. I will however ask the Secretary, Finance Department, and the Secretary, Development Department, to note that these various explanations are not sufficiently explicit to reach the honourable member's notice or understanding. I do not know whether it will be

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necessary for these officers to grapple with that difficult task in the new Council, but if it is, I hope they will be more successful. I repeat that the statement made by the honourable member was totally incorrect. The honourable member's other constructive suggestion was a reduction in the sum of 12 lakhs of expenditure shown on page 76 of the White Book under the head "General Administration", heads of provinces. Here again the honourable member omitted to mention that this sum included the expenditure on members of Council. That, I think, is the whole sum and substance of the honourable member's contribution to our debate.

After this little digression into flights of fancy and imagination I will return to the arguments. The honourable member who represents the Indian Merchants' Chamber attacked the Finance Department for their gross incompetence and extravagance. I was unable to discover in his speech any concrete examples on which he based this charge. The charge related to the whole period covered by the last 5 years. As he has given me no opportunity to defend any particular items, I must be content to refer the House to the important statement on page 36 of the Blue Book in the introductory note of the Finance Secretary. That statement shows that we reduced our expenditure in the years 1922-25 by 1½ crores of rupees from the expenditure of the year 1921-22. Then I would remind the House that that expenditure of 1921-22 was in accordance with the budget prepared by the Government of our predecessors; and that it is the reformed Government since 1921 which has made the reduction of 1½ crores and which has built up the balances of 5½ crores. Whether that is a proof of incompetence and extravagance I will leave the House to judge.

The honourable member who leads the Swaraj party made a speech which I observe was very convincing to the members of his own party who sat around him. As he did not address the House in general, I was unable to follow his arguments in detail. But I have gathered that he and certain other members of this House have not yet advanced with the spirit of the times. He was taught in his boyhood that the Government was an alien Government which tyrannically levied money from the poor people and spent it at their own sweet will. That, I think, is the stock phrase which he is unable to forget. The conception of Government as an administration which represents the will of the people and which is entrusted by the people with a share of their earnings to be spent for the general uplift and welfare of the people is a conception which the honourable member is unable to grasp. I do not think that the city of Poona has any cause to complain that it has received insufficient attention in the distribution of benefits and amenities which have been provided by the Government. The Government have in fact devoted very large sums for the provision of good water for the people of Poona, for the drainage and sanitation of that city and for the supplying of educational facilities of every description. But the honourable member is not content with that.



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It is his birthright as a citizen of Poona to receive a large share of the attention of the Government.

An Honourable MEMBER : What about the villages ?

The Honourable Sir HENRY LAWRENCE : I am coming to that. And if other people elsewhere have to go without these amenities, so plentifully showered upon him and his section of society, that is the misfortune to which they were born. It is no doubt the result of the law of Karma. But if the honourable member would look around and extend his sympathy to those other less fortunate fellow subjects of his, I still have some hope that in the years to come he will revise his estimate of the values of life. He will see that the Government is taking taxes in order to help the agriculturist in his hard struggle against the forces of nature in order to enable him to secure the water without which he cannot hope to grow his harvest with certainty and in order to give him some measure of education to save him from being the victim of every despoiler and petty tyrant. When the honourable member realises that these are the purposes for which this money is abstracted from the taxpayer, these are the purposes to which that money is being devoted, I sincerely hope that he will live long to be a wiser man.

The honourable member Dr. Paranjpye has, I regret to see, joined himself with the forces of reaction. I deeply sympathise with him in this unfortunate situation. He is bound by the terms of his own report to the view that the Court-fees Act requires revision. If this bill goes to the select committee, it will be open to that committee to adopt such recommendations of the honourable member and his friends as they think right. The honourable member is indeed in a serious difficulty if he proposes to vote against the application of his own published recommendations while the ink of those published recommendations is scarcely dry. It is clear that the honourable member was so harassed by these difficulties that he omitted to refer to paragraph 334 of his own report. He laid some stress on the argument that justice should not be a source of revenue. In that paragraph the committee point out that the calculation of the revenue and the expenditure joined together under the Administration of Justice is a most vexed question. They point out further that the cost of the courts is only a part of a much wider service by which the State upholds the law and secures the rights of property. Does any one suppose that peaceful possession of property in accordance with a decree of a civil court would be given by lawless men if those decrees were not upheld by the support of the police ? How many crimes are caused by resistance to authority arising out of civil suits ?

Dr. R. P. PARANJPYE : Mr. President, I am afraid the honourable member is misrepresenting me. If he will refer to the report, he will find that I have specially made a minute of dissent in this connection. He will find it on page 248. There is a paragraph referring to my special minute of dissent on that point.

The Honourable Sir HENRY LAWRENCE : Sir, I quite admit Dr. Paranjpye.....(Dr. Paranjpye : Hear, hear). I admit something

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(laughter). I admit that there is a paragraph dealing with Dr. Paranjpye's opinion. But that opinion appears to be limited to a very small part of the matter that I am raising. There is a minute of dissent as well?

Dr. R. P. PARANJPYE : Yes, just at the end, explaining my position.

The Honourable Sir HENRY LAWRENCE : Well, Sir I certainly apologise to the honourable member if I misinterpret him. I am quite willing to accept the honourable member's disclaimer in regard to the point whether civil justice should be free or not. That is your point?

Dr. R. P. PARANJPYE : That is right.

The Honourable Sir HENRY LAWRENCE : But on this question whether police expenditure should be entered against the revenue from Justice, I do not know whether the honourable member has expressed any opinion. So far as that part of the discussion went, there is no suggestion that the honourable member was at variance with the rest of the committee. Is that right?

Dr. R. P. PARANJPYE : You better find it out yourself (laughter).

The Honourable Sir HENRY LAWRENCE : Then, Sir, a considerable portion of the revenue that we hope to derive from this bill is under the head of probate duties. The honourable member, I think, will not find fault if I refer him to paragraph 366 of this report, in which the committee propose a revision of the probate duties rising from one half per cent. to 6 per cent. In our bill we have it rising up to 5 per cent. From that portion of the probate duties we expect to receive the major part of the increased revenue that we hope to get under this bill.

Mr. R. G. PRADHAN : How much?

The Honourable Sir HENRY LAWRENCE : The major part; major part means more than 50 per cent.

As to the High Court, the honourable member Dr. Paranjpye roundly asserted that Government had done nothing. I submit that assertion was made in complete ignorance of the facts. I think it is two years since the honourable member has been cognisant of what Government is doing. As a matter of fact, the Government has addressed the High Court more than once on the subject, but the system of fees on the Original side of the High Court is, by statute, under the jurisdiction of the High Court and is not under the jurisdiction of this Government. It is a little hard I think for us to be attacked on a matter in which we have no jurisdiction whatever.

The honourable member, who, on behalf of the Chamber of Commerce, spoke yesterday expressed some anxiety lest any increase in the burden of taxation might retard the revival of trade and business. He has been answered by the Finance Secretary. I will just repeat part of that answer. The present taxation under the Court-fees Act is lower than the taxation in any other major province. In so far as this taxation can affect trade and business, every other port is subject to a greater burden than the port of Bombay. Moreover, the new bill extends exemptions beyond

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the scope of any other Act in force in India. It does not raise the standard of taxation over the standard of any other province. In so far as it affects the city of Bombay at all, the major portion of the incidence will fall on probate duty; I doubt whether the Chamber would consider that trade and business are in fact affected by probate duty.

Finally, Sir, I return to the point with which I started, namely, the question of retrenchment. I repeat that I think this is the most important argument that has been used in this House. I would remind the House of the findings of the Retrenchment Committee three years ago. That committee ranging over the whole field of public activities of the Government of Bombay gave this Government a most valuable certificate. Their recommendations proposed various economies, which have been as far as possible affected. But that committee abstained from recommending any single large departure from the previous policy of the Government. After a most thorough investigation they were unable to suggest that any activities of the Government should be radically altered. In fact, I think it must be fairly admitted that they accepted the view that the administrative machinery of Government was working with a fair degree of efficiency, and that the policy of Government was directed to the best interests of the people.

I do not quarrel with the view that some fresh enquiry into retrenchment may be expedient. The suggestion has been made that an enquiry conducted by experts might be fruitful. The first Retrenchment Committee was essentially a political committee, and the politicians have given their blessing to the Government. If an expert committee be desired to overhaul the working of each department and to suggest some method of economy, some curtailment of staff, it is quite possible that if it be armed with sufficient powers, some channels of leakage might be found and might be stopped. The House may remember the story of the Russian Court, which illustrates this point. A soldier of the Russian Guard was constantly on duty on the lawn in front of one of the palaces, and no one knew what purpose he served there. Finally, on investigation, it was found that 150 years ago a Russian Empress had planted some flowers, snowdrops I think they were, and had directed that they should be protected from being trodden down by cattle or plucked by the gardener. For 150 years the soldier had been on duty there, but all knowledge of the reason why he stood there had been lost. Sir, it is possible, I admit, that in a hundred thousand square miles of territory of this Government there may be some official performing some obsolete ceremony of no real importance to the welfare of the people.

Mr. President, I move now that the bill be read a first time.

Question put. House divided. Ayes, 51; Noes, 40. Motion carried.

*Division No. 4.*

**Ayes.**

ABDUL LATIF HAJI HAJRAT KHAN, Mr.  
ABBECROMBIE, Mr. J. R.

ADDYMAN, Mr. J.  
AHMAD, MOULVI RAFIUDDIN.

## Ayes 61

ANGADE, Mr S N	KAMITH, P. I. Chulm S I
BHURCH, Mr J M	KHUMI, Mr M S
BHUTTO, Khan Bahadur S A	KOKANI, Mr G J
BULL, Mr S K	LAWRENCE the Honourable Sir HENRY
BUNTER, Mr J P	MANI KHAN S I I A M
COOPER, Khun Bahadur D B	MASRI, Mr A
DABHOLKAR, Sir VASANTH A	MCKEE, Mr W C
DAVI, Mr B K	MERFA the Honourable Sir CHURCH
DIHAWI the Honourable Mr A M K	M. H. MATH, Mr A
FERNANDEZ, Dr COSMAS	M. L. LORRD, Mr J J
FRANK, Mr K S	M. H. MATH, Mr A
GROSS, Mr J	M. H. MATH, Mr A
GHULAM HUSSAIN, the Honourable Sir	NEKATIA, Mr J S
HAMID M. ABDUL ALI, Mr	NOOR MAHMOOD, Mr
HARRISON, Mr C S C	OWI, Mr A C
HATCH, Mr G W	PETICAI, Mr P I
HIPPIE, Sir LAWRENCE	PETER, Mr I W
HUDSON, Sir LESLIE	RICE the Honourable Mr J I
JADHAN, the Honourable Mr B A	SAVED SHAHJADE SAHIB HAJDAL SAHIB
JALOR, Khun Sahib HAJI SERAI ISLAM	SHINDI, Mr R D
BAKSHI	THAKUR of Kewada the
JAFAR, WADIKO KADIRBAK II	THOMA, Mr G A
JIHANGIR, the Honourable Mr COWASHI	WEBB, Mr M
KALPHOR, Mr G M	WILL, Mr C
	WOODS, Mr L I

Tellers for the Ayes Sir LESLIE HUDSON and W G MCKEE

## Noes.

ADWANI, Mr D B	PARANJPE, Dr R P
BHOPATKAR, L B	PAITH, Mr A I
DESAI, Rao Sahib D P	PAITH, Mr D N
DEV, Mr S S	PAITH, Mr G I
DIXI, Dr M K	PAITH, Mr D R
GHANTAL, Mr N R	POWAK, Mr M B
HATI, ABDUL JAH HAROON	PRADHAN, Mr G B
JOG, Mr V N	PRADHAN, Mr R G
JOSHI, Mr P G	P. N. BHAI THAKURSI, Mr
KARKI, Mr M D	RAHMATOOLA, Mr HOOSAINALLY M
KOIHART, Mr V R	SABHA, Mr H D
LALJI NARANJI, Mr	SAPTARSHI, Mr C M
LALJI L, Mr HOOSAINBHOY A	SARDesai, Mr S A
MAYANKAR, Mr G K	SHIVDASANI, Mr H B
MERFA, Dr M M	SOMAN, Mr B G
MURADAM, Mr W S	SURVE, Mr A N
MUKHI JETHANAND PRIFANDAS	SURVE, Mr V A
NARELVALA, Mr H H	SWAMINARAYAN, Mr J C
NARIMAN, Mr K F	VITKAR, Dr. M B
PAHALAJANI, Mr B G.	WADIA, Mr C N

Tellers for the Noes Mr D B ADWANI and Rao Sahib D P DESAI

The Honourable Sir HENRY LAWRENCE Mr President, I ask that the bill be remitted to the select committee consisting of the following honourable members:

Dr. R. P. Paranjpye, Moulvi Rafiuddin Ahmad, Mr. Bhopatkar, Mr. Bunter, Sir Leslie Hudson, Rao Bahadur Kambli, Khan Bahadur Bhutto, Mr. Shinde, Mr. G. B. Pradhan, the Honourable Sir Ghulam Hussain, Secretary, Finance Department, and myself; to report within a week and five to form a quorum.

The Honourable the PRESIDENT: Order, order Question is that the bill be referred to a select committee consisting of the following

[The President]

honourable members, five to form a quorum and to report within a week —

Dr R P Paranjpye, Moulvi Rafiuddin Ahmad, Mr Bhopatkar Mr Bunter, Sir Leshe Hudson, Rao Bahadur Kambh, Khan Bahadur Bhutto, Mr Shinde, Mr G B Pradhan, the Honourable Sir Ghulam Hussain, Secretary, Finance Department, and the Honourable Sir Henry Lawrence

Mr L B BHOPATKAR Sir, I do not wish to serve on this committee

Mr V R KOTHARI I suggest, Sir, that the names of the honourable member the Deputy President and the honourable member Mr Saptarshi be added

The Honourable the PRESIDENT The honourable member, Mr Bhopatkar, does not wish to serve on this committee. His name, therefore, will stand out The motion is that the bill be referred to a select committee consisting of the honourable members whose names I just read out excepting the honourable member Mr Bhopatkar A suggestion has been made that two more names should be added and it is for the Honourable the Leader of the House to say whether he accepts it or not. If he does not do so, it is open to the honourable member Mr. Kothari to move that two more names be added to the select committee

The Honourable Sir HENRY LAWRENCE: I would accept one more honourable member and it would make the number twelve I will accept either the honourable member the Deputy President or the honourable member Mr. Saptarshi and I will leave it to the House

Mr C M SAPTARSHI Sir, I do not wish to serve on this committee

The Honourable the PRESIDENT. Then the question is that the bill be referred to a select committee, consisting of the following honourable members, five to form a quorum and to report within a week:—

Dr R P Paranjpye, Moulvi Rafiuddin Ahmad, the Deputy President, Mr. Bunter, Sir Leshe Hudson, Rao Bahadur Kambh, Khan Bahadur Bhutto, Mr. Shinde, Mr G B Pradhan, the Honourable Sir Ghulam Hussain, Secretary, Finance Department, and the Honourable Sir Henry Lawrence.

Bill referred to Select Committee Question put and carried.

### **BILL No VI OF 1926 (A BILL FURTHER TO AMEND THE INDIAN STAMP ACT, 1899, IN ITS APPLICATION TO THE CITY OF BOMBAY).**

The Honourable Sir HENRY LAWRENCE: Sir, I introduce Bill No. VI\* of 1926 (A bill further to amend the Indian Stamp Act, 1899, in its application to the City of Bombay)

The Honourable the PRESIDENT. The bill is intro.....

Mr. K. F NARIMAN (Bombay City, South): Sir, I rise to a point of order Under the provisions of the Government of India Act,

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\* Appendix C

[Mr. K. F. Naïman]

Scheduled Taxes Rules, rules under section 80 (3) (a), the Government of Bombay has no right to impose this tax for the purpose of general revenue. In that there are two schedules provided, one for the revenue for local self-Government and the other for revenue of a provincial nature. The first section is :

"(2) The Legislative Council of a province may, without the previous sanction of the Governor General, make and take into consideration any law imposing, for the purpose of the local Government, any tax included in schedule I to these rules."

"(3) The Legislative Council of a province may, without the previous sanction of the Governor General, make and take into consideration any law imposing or authorising any local authority, any tax included in schedule II to these rules."

In schedule II tax on land and land value is mentioned. My submission is that, although this bill is described as a Stamp Act, it is in reality a tax on land value. This is very clear from the various provisions of this bill. First of all the preamble says :

"Whereas it is expedient further to amend the Indian Stamp Act, 1899, in its application to the presidency of Bombay, to provide for the levy of a duty on the transfer of land in the city of Bombay....."

In the Statement of objects and reasons it is stated :

"The recurrence of a deficit for the second year in succession makes it imperative for Government to increase their general revenue."

"The tax now proposed is in the form of a stamp duty on transfer of property in the city of Bombay; it involves no additional expense in collection."

All this makes it clear that this taxation is not for any local self-Government purposes but to meet a deficit in the general provincial revenue.

I will now refer to two instances in two other provinces, where the same tax is levied not for the purposes of the general provincial revenue but for the purposes of local self-government. The Honourable the Finance Member in the course of his speech referred to the example of Bengal. I am glad that the Honourable the Finance Member and the honourable member the Finance Secretary both referred to this, because the case of Bengal strongly supports my contention. In the province of Bengal the revenue from this source is entirely utilised for the purpose of local self-government. I will quote here section 82 of the Calcutta Improvement Trust Act, which was passed even before the Reforms Act came into force :

"82 (1) The duty imposed by the Indian Stamp Act, 1899, on instruments of sale, gift and usufructuary mortgage, respectively, of immovable property shall, in the case of instruments affecting immovable property situated in the Calcutta Municipality and executed on or after the commencement of this Act, be increased by two per centum on the value of the property so situated, or (in the case of an usufructuary mortgage) on the amount secured by the instrument, as set forth in the instrument."

Sub-section (4) of that section says :

"All collections resulting from the said increase shall, after deducting incidental expenses (if any), be paid to the Board at such time as may be prescribed by rule made under section 86."

Again a similar provision exists in Madras whereby the collections from this revenue are devoted for the purpose of local self-government.

A similar bill was sought to be introduced last year, Bill No. II of 1925. That bill was published in the Gazette but it was not passed by this

[Mr. K. F. Nariman]

Council. Even there in the statement of objects and reasons it is clearly stated :

‘The municipal corporation of the city of Bombay and all municipalities receive considerable subventions from Government in respect of their expenditure on education, hospitals, sanitation and such other purposes. This expenditure is growing rapidly, and with the movement in favour of compulsory education will grow still faster with a consequent increase in the demands for assistance from provincial revenues.

In order to enable Government to meet those demands it is necessary to secure further revenue from those areas which will chiefly benefit from the expenditure.”

It is clearly stated in the statement of objects and reasons for that bill—Bill No. II of 1925 that this revenue was to be allotted for local self-government for educational and other purposes, whereas this bill in the statement of objects and reasons says that it is for the purpose of meeting a deficit in the general revenue. I submit, Sir, that this is an encroachment on the rights of local self-government; and it is beyond the jurisdiction of this Government to impose this tax for the purposes of general provincial revenue.

The Honourable Sir HENRY LAWRENCE : Mr. President restricting myself to the point whether it is legal for this Government to introduce this bill, I wish to refer to Schedule I of the Scheduled Taxes Rules. Schedule I deals with the list of taxes which a local Government can impose for their own revenue. The first item in that is a tax on land put to uses other than agricultural and item No. 8 is a stamp duty other than duties of which the amount is fixed by Indian legislation, so that whether it be regarded as a tax on land or whether it be regarded as a stamp duty in either case the provincial Government have a right to introduce this legislation. This bill has been introduced not without full consideration. The argument which the honourable member who has just sat down advanced relates to a point of expediency; whether the revenue should be used for local self-government or for provincial purposes can be discussed at a later stage. The immediate matter for consideration is Schedule I. This bill is rightly described as a Stamp Bill and it is within the jurisdiction of the provincial Government.

On that point, Sir, before we introduced the bill last year, we took legal opinion and we are fully fortified in the opinion that it is within the province and jurisdiction of the provincial Government.

The Honourable the PRESIDENT : There is one point to which I should like the honourable member who has raised the point of order to give me a reply. He has relied upon the Scheduled Taxes Rules printed on page 131, and he has drawn my attention to rules 2 and 3. These rules read :

(2) “The legislative council of a province may, without the previous sanction of the Governor General, make and take into consideration any law imposing for the purpose of the local Government.....”

(3) “The legislative council of a province may, without the previous sanction of the Governor General, make and take into consideration any law imposing, or authorising any local authority to impose. ....”

Both these rules indicate to what extent this Council can legislate without the previous sanction of the Governor General. I will draw the

[The President]

attention of the honourable member to the preamble of the bill which is proposed to be introduced. It says

"Whereas the previous sanction of the Governor General required by section 80A (3) of the Government of India Act has been obtained for the passing of this Act."

In view of that statement I should like the honourable member to tell me whether he still thinks that these rules apply to this legislation. Before I deal with the two points raised by the Honourable the Leader of the House, I should like, in the first instance, to know what the honourable member has to say in regard to the point I have made

Mr. K. F. NARIMAN : Sir, in regard to the fact that sanction has been obtained, I would say that the obtaining of the sanction was superfluous. The fact that the local Government has obtained sanction, when there is no necessity for sanction cannot strengthen their position

The Honourable the PRESIDENT : The words are the local council may do certain things without sanction... ..

Mr. K. F. NARIMAN . Even if it were a stamp duty under Schedule I, even then the sanction of the Governor General is not necessary. The local Government, perhaps anticipating some difficulty on a point of order has obtained the sanction, even though under the rules no sanction is necessary. But that will not strengthen their position. If any bill requires the previous sanction of the Governor General, and any point of order is raised when the bill is introduced without such sanction, the bill will have to be disallowed. If a bill does not require previous sanction, but still a superfluous sanction is obtained, that would not improve the position of Government. My submission is, that this bill is clearly a tax on land values : it is held to be so in other provinces, and this Government itself last year held it to be so. This is clearly a tax for purposes of local self-government, but it is stated that it is for purposes of the general provincial revenues. To that extent this bill is out of order.

The Honourable the PRESIDENT : The honourable member has not met the point made by the Honourable the Leader of the House as regards clauses (1) and (8) of Schedule I.

Mr. K. F. NARIMAN : I have submitted, Sir, that although this bill is described as a stamp duty in order to bring it within Schedule I, it is a sort of circumvention on the part of Government. The mere prescription of a tax cannot change its intrinsic nature. If we look to the provisions of the bill, it is clearly a tax on land values. It is no doubt described in the preamble as a duty on the transfer of land, but the Council has got to see whether it is a stamp duty or a tax on land values. I submit, Sir, that the mere description does not change the nature of the tax. We have got to see the real nature of the bill. It is really a tax on land values, although it is described in the preamble as a stamp duty. A mere change in description cannot take it out of Schedule II and place it in Schedule I.

Mr. A. MONTGOMERIE : Sir, I should submit that the honourable member's argument defeats itself.....



The Honourable the PRESIDENT: May I ask the Honourable the Leader of the House to let me have in the first instance the opinion of the Legal Remembrancer? I should like to know what the Legal Remembrancer has got to say about the point raised. Is the Legal Remembrancer prepared to give his opinion on the subject at present?

Mr. P. E. PERCIVAL: Sir, I should like to hear more from other honourable members, before I speak.

The Honourable the PRESIDENT: I asked the Honourable the Finance Member not to argue the point now, because at this stage it is more a legal interpretation of the rules than a matter of mere argument about the tax. I should like to know what the lawyer members, both on the non-official and on the official benches, have to say about it.

Mr. G. I. PATEL: Sir, I want to make what the honourable member (Mr. Nariman) said quite clear.....

The Honourable the PRESIDENT: I can quite follow it: I do not want it to be made more clear.

Mr. R. G. SOMAN (Satara District): Sir, in Schedule I, we find clause (1) "a tax on land put to uses other than agriculture" and (8) "a stamp duty other than duties of which the amount is fixed by Indian Legislation". That is what is stated in the first schedule. If we look to the head line of the second schedule, we find "in this schedule the word 'tax' includes a cess, duty or fee". That does not appear as a heading of the first schedule. So that, wherever a duty has to be fixed it can be done only under Schedule II. If we consider the present legislation as a stamp legislation then it ought to come under number 8 of Schedule I. But it cannot come under that, because the present duty that is being fixed on conveyances is not a duty "other than duties the amount of which is fixed by Indian Legislation". I submit that so far as the duty proposed by this bill is concerned, it is coming into force in place of the duty fixed by the Indian Legislature, and therefore it does not come within the wording of clause (8) of Schedule I. Therefore I submit that it cannot come under Schedule I. Besides, the tax in first clause to my mind appears, so far as conveyances relating to land are concerned, to be a tax on land put to uses other than agricultural. This implies that the lands capable of being cultivated have to be used for purposes other than agriculture. Then only, the tax can apply to land. It cannot apply to house sites in the city of Bombay. On both these grounds the present tax falls under schedule II and not under schedule I.

Mr. B. G. PAHALAJANI (Western Sind): Sir, it all depends on the interpretation put by you upon this kind of tax. Section 80A (3) on page 56 states:

"The local legislature of any province may not, without the previous sanction of the Governor General, make or take into consideration any law—

(b) affecting the public debt of India, or the customs duties, or any other tax or duty for the time being in force and imposed by the authority of the Governor General in Council for the general purposes of the Government, etc., etc."

[Mr. B. G. Pahalajani]

Therefore, Sir, this Act is one made by the Governor General of India, and therefore if this falls under this clause, this Council is debarred from considering it if the sanction of the Government of India has not been obtained. Now turning to page 131, clauses 2 and 3, rule 2 refers to Schedule I only. It says :

"The Legislative Council of a province may, without the previous sanction of the Governor General, make and take into consideration any law imposing or authorising any local authority, to impose, for the purposes of such local authority, any tax included in Schedule I to these rules."

The local Legislative Council has power to impose any tax mentioned in Schedule I *only* for the provincial revenues. But if it is a tax mentioned in Schedule II, Government cannot impose it for its own revenues, but it can do so for local bodies. In Schedule I last clause says :

"A stamp duty other than duties of which the amount is fixed by Indian Legislation."

If you rule that this Act concerns the stamp duty fixed by the Government of India Act then section 80 applies. But the bill before the Council makes it clear that what is sought, is not an alteration of the Stamp Act, but it enacts in spite of it :

"Notwithstanding anything contained in the Indian Stamp (Bombay Amendment) Act, 1922, in respect of any instrument, etc, etc., hereinafter referred to as the said Act,.....the following entries shall be substituted."

On that view, if you think it is a stamp duty, covered by clause 8 of the Rules, no sanction is necessary. If you are prepared to accept the interpretation of the honourable member from Bombay that it is a *tax on land values*—as it is certainly capable of this interpretation—then it comes under schedule 2 only which is not the right of the local Government to possess, but to be enacted for the benefit of the local bodies only. Everything will depend upon the interpretation of the tax. If you hold that, it is a tax on land values, Schedule II applies and the local Government has no power.

Mr. P. E. PERCIVAL : I should like to say, Sir, that these provisions are not compulsory. It is clearly laid down that the local Legislative Council may without the sanction of the Government of India make certain amendments; but we have obtained that sanction. This point was raised last year. We wrote to the Government of India about the Court-fees Bill and the Government of India wrote back that no sanction is necessary for the court-fees. We also wrote about the Stamp Bill. In that case the Government of India hold that their sanction was necessary.

My point is that, if the contention of the honourable member for Bombay is correct, then the bill which we have just passed this morning would also be illegal. It is precisely the same. There is no distinction between the two. The whole of the remarks which the honourable member has made only apply in case the sanction of the Government of India has not been obtained. In this case the sanction of the Government of India has been obtained. The other case to which the honourable member has referred is that of Bengal and Madras, only applies when the Government of India refuse to sanction an amendment to the Municipal Act, and when

[Mr. P. E. Percival]

it is provided in the bill that the proceeds of the tax should go to some body other than Government.

Mr. G. B. PRADHAN : The wording is "tax on land put to uses other than agriculture". Now.....

The Honourable the PRESIDENT : I do not want the honourable member to repeat the arguments that have already been used. The Remembrancer of Legal Affairs has informed the House that in his opinion these are optional provisions and that the distinction between the two schedules is not compulsory. I want the honourable member (Mr. Pradhan) to meet that argument if he wishes to do so.

Mr. G. B. PRADHAN : The question is whether the tax is a scheduled tax or not.

The Honourable the PRESIDENT : The point that has to be met is whether these provisions in the schedules are optional or not. The honourable member the Remembrancer of Legal Affairs has contended that they are. He has argued that these schedules do not create watertight compartments, as the honourable member, Mr. Nariman, has contended. The Remembrancer of Legal Affairs contends that these are not two watertight compartments put in two Schedules, and that, with the sanction of the Governor General you could take any of the items of taxation mentioned in Schedule II for provincial purposes as you could, with a like sanction, utilise the revenue under taxes mentioned in Schedule I for local self-governing purposes. This is merely discretionary and not obligatory. If the honourable member wishes to meet that point, I will allow him to do so.

Mr. G. B. PRADHAN : In the schedules there are mentioned taxes for provincial Government and taxes for local self-government. In the first schedule, part I, is mentioned a tax on land put to use other than agricultural. Now, here are lands which are agricultural lands in the island of Bombay and all the conveyances on these lands also are sought to be taxed. Even in Bombay there are several agricultural lands round about Sion, Dadar, and so forth. I submit, Sir, that the Remembrancer of Legal Affairs has made a point which is not in the rules. It is the other way. He says in Schedule II, they can use a tax even for provincial purposes. It is not correct.

The Honourable the PRESIDENT : I do not think I need allow the discussion any further. The question is, I admit, not free from doubt. This is the first occasion when legislation has been brought before this Council imposing a tax on one city in the presidency for provincial purposes, and it is a point well worth considering in view of the point of order raised by the honourable member. At the same time, I am inclined to think that the distinction made is rather fine. In view, however, of the importance of the subject, namely that we are going to legislate for provincial purposes by the imposition of a tax on a part of the presidency, it requires to be thoroughly examined in order that no question may arise hereafter. As I said, the point is not free from doubt and I would therefore make a suggestion to the honourable

[The President]

House especially as it is 6 o'clock now. The bill raises very important questions of principle and it is impossible that it could be finished to-day within the one hour which is available. I therefore propose to delay giving my ruling and in the meantime to discuss all the aspects of the question that have been put before me to-day with the Honourable the Advocate General. I am encouraged to take that course because in no case could this bill be read the first time in the course of to-day. I therefore adjourn the consideration of this bill to the next official day, on which date I will intimate my ruling to honourable members. In these circumstances, I take it that the House agrees that that is the best course I could follow. I will adjourn the consideration of this bill to the 11th.

**BILL No. XXIII OF 1925 (A BILL TO CONSOLIDATE AND AMEND THE LAW RELATING TO THE COURTS IN SIND).**

The Honourable Mr. J. L. RIEU: Mr. President, I move that this bill—Bill No. XXIII of 1925 (A Bill to consolidate and amend the law relating to the Courts in Sind) be postponed to the next session, the reasons being that this session is the budget session and that Government have decided to move only financial bills and certain small bills that are likely to occupy very little time, while it seems probable that this bill will require the consideration of the House for a considerable time. Government, therefore, consider it advisable that the consideration of the bill should take place at another session.

Question put and carried.

**BILL No. XII OF 1924 (A BILL TO PROVIDE FOR THE COLLECTION OF STATISTICAL INFORMATION FOR PUBLIC PURPOSES).**

The Honourable Mr. GOWASJI JEHLANGIR: Mr. President, with your permission I desire to make a statement before withdrawing the bill.

Honourable members will recollect that Sir Maurice Hayward some time ago moved the first reading of this bill and in view of some of the objections taken to the bill in this honourable House, he did not continue with the first reading but discussed it very thoroughly with certain honourable members. The result of that discussion was that the bill was completely redrafted. That redraft has not been published. The bill that has been published and circulated to this honourable House is the original bill. A new bill was submitted to the Government of India for sanction. Sanction has not yet been obtained and, therefore, this Government has been unable to publish it and, naturally, therefore, unable to move it. Therefore, I desire, Mr. President, to withdraw the bill which is now on the agenda. Government will, if possible before the next session, publish the new statistical bill which has been redrafted as I have already mentioned, in consultation with certain honourable members of this House. I therefore withdraw the bill.

\* Bill withdrawn.

**BILL No. II OF 1926 (A BILL FURTHER TO AMEND THE  
CATTLE-TRESPASS ACT, 1871, IN ITS APPLICATION  
TO THE PRESIDENCY OF BOMBAY).**

The Honourable Sir CHUNILAL MEHTA: Sir, I introduce Bill No. II<sup>1</sup> of 1926 (A Bill further to amend the Cattle-trespass Act, 1871, in its application to the Presidency of Bombay).

The Honourable the PRESIDENT: The bill is introduced.

The Honourable Sir CHUNILAL MEHTA: Sir, I ask that the bill be read a first time. When the Cattle-trespass Act was amended by Bombay Act IX of 1924, certain anomaly with regard to the Sarpanch of a panchayat being the pound-keeper was removed. Since then Government have been considering the necessity of legislation for removing a similar anomaly which exists where the police patel or the head of a village is a member of the panchayat. Government were calling for reports on this point from their officers, but in the meantime the honourable member from Ahmedabad (Mr. Swaminarayan) gave notice to introduce a private bill for the same purpose. Unfortunately, at the last session of the Council this bill was not introduced, and Government have now brought this forward as a Government measure. The object of both Government and the honourable member is identical. This anomaly is now sought to be removed by the proviso (a) to section 2.

The bill also provides that in local areas in which the functions of the District Magistrate under section 6 of the Cattle-trespass Act, 1871, are transferred to the local authority, the local authority may appoint another person than the police patel to be pound-keeper. This provision is necessary for the proper exercise of their powers under the said section by the local authorities to whom such powers have been transferred; and as a corollary to that provision the bill provides that in local areas in which the functions of the District Magistrate are so transferred, the pound-keeper may be suspended or removed by the local authority. The same power to suspend or remove pound-keepers is conferred on the village panchayats in respect of the pound-keepers appointed by them.

You will see, Sir, that no further explanation is needed in placing before the House this small bill which, as I say, has also received the approval of non-official members, especially the honourable member from Ahmedabad.

I move that the bill be read a first time.

Question proposed.

Mr. J. C. SWAMINARAYAN (Ahmedabad District): Sir, I support the first reading of this bill. Duties of looking after cattle-pounds under the Cattle-trespass Act have been transferred to the local authorities. There was provision in the Cattle-trespass Act that the pound-keeper was to be the police patel or the head of the village. Now, the local authorities had to perform their duties, but they had no power to appoint their own servants in this respect. This was anomalous, and for the purpose of removing this anomaly this bill has been brought forward

[Mr. J. C. Swaminaravan]

by Government. I had also brought forward a similar bill and Government have also brought the same bill themselves. I think this bill confers the necessary powers on the local authorities. At present the anomaly is that the local authorities have to perform their duties, while their servants have to be appointed by the District Magistrate. It is legitimate that the power of the District Magistrate should be transferred to the local authorities as far as the appointment and the removal of the pound-keeper is concerned. This bill aims at giving power to local authorities to which they are entitled. Otherwise, what happened was that sometimes a member of the local authority was the police patel. But no servant of the local authority should be a member of the local authority. Such anomalous conditions arose in many places, and for making it sure that no member of a panchayat or local authority should be so appointed this bill is brought forward by Government and I hope it will be passed unanimously by the House.

Bill read a First time      Question put and carried.

The Honourable Sir CHUNILAL MEHTA: Sir, I move that the bill be read a second time.

Second Reading      Question proposed.

Mr. M. S. KHUARO (Larkana District): Sir, I propose an amendment.

The Honourable the PRESIDENT: The honourable member probably means that he proposes to move some amendment when the bill is under consideration clause by clause, and not on the second reading. At present the question before the House is that the bill be read a second time. When that is carried I will put the clauses to the House, and I will then consider whether the honourable member should be allowed to move his amendment, especially as he has given no notice.

Bill read a Second time      Question put and carried.

Bill read clause by clause.

Clause 1 (*Short title*) ordered to stand part of the bill.

Clause 2 (*Amendment of section 6 of Act I of 1871*).

The Honourable the PRESIDENT: Is the honourable member Mr. Khuhro's amendment in connection with any clause or section of the existing Act, which is proposed to be amended by clause 2?

Mr. M. S. KHUARO: Sir, my amendment is an addition to be made at the end of this bill.

The Honourable the PRESIDENT: What section of the Act do you wish to amend? Do you wish to propose any amendment to clause 2?

Mr. M. S. KHUARO: I want an additional sub-clause to be added.

The Honourable the PRESIDENT: In that case you must ask the original Act to be amended. The bill before the House is only an amending bill. If your amendment is as regards section 6, which is being amended by this bill, I will allow it.

Mr. M. S. KHUARO: My object was to put at the end of this bill a sub-clause.

The Honourable the PRESIDENT : No amendment can be moved except to section 6 of the original Act. You must introduce a fresh bill or move a resolution asking Government to legislate in that direction.

Clause 2 ordered to stand part of the bill

Preamble ordered to stand part of the bill.

The Honourable Sir CHUNILAL MEHTA : Sir, I beg to move that Bill No. II of 1926, a bill further to amend the Cattle Trespass Act, 1871, in its application to the Presidency of Bombay, be read a third time and passed.

Bill read a third time

Question put and carried.

The Honourable the PRESIDENT : The bill is read a third time and passed.

**BILL NO. V OF 1926. A BILL FURTHER TO AMEND  
THE CITY OF BOMBAY POLICE ACT, 1902.**

The Honourable Mr. J. L. RIEU : Sir, I introduce the bill.\*

The Honourable the PRESIDENT : The Bill is introduced.

The Honourable Mr. J. L. RIEU : Sir, I move the first reading of the bill. It has been brought to notice by the  
First reading Commissioner of Police, Bombay, that in cases of severe accidents, such as collisions on public streets when an animal is severely injured, there at present is no provision of the law enabling the police officer to despatch the animal, although it may be in such a condition that it would be sheer cruelty to attempt to remove it to any dispensary, and the only remedy to put an end to the animal's suffering is to despatch it on the spot. The object of the present bill is to make provision to meet this requirement.

I am sure that this is a bill the object of which will commend itself by reason of its humane character to the members of this House. In order to safeguard the interests of the owner and to prevent the despatch of any animal regarding which there might be any doubt raised as to the necessity for its being killed, the bill provides that if the owner is either absent or refuses to consent to the destruction of the animal, a veterinary practitioner shall be summoned and his certificate will be obtained. The second part of the bill accordingly provides that the Governor in Council shall appoint for this purpose certain veterinary practitioners who shall be recognised as having authority to give certificates under this provision of the law.

I trust that this bill will not be regarded as a contentious measure. A large number of public bodies in Bombay have been consulted with regard to its provisions, and they have expressed their agreement to its provisions. I, accordingly beg to move the first reading of this bill.

Question proposed.

Mr. S. S. DEV : I am sorry, Sir, I shall have to oppose this bill. The principle of the bill is revolting to an Indian mind. I want to know whether any societies whose object is to give protection to animals,

[Mr. S. S. Dev]

called Panjrapols, were consulted in regard to the provisions of this bill. I am sure no such society will ever accept the principle of this bill. Suppose a human being is similarly injured. Will you try to render every help to that lingering soul or would you shoot him down on the spot? No. What is true in the case of a human being must be so in the case of a cattle. If you will not shoot a man in similar circumstances, how can you shoot an animal, in the name of preventing cruelty to animals? As I said, the principle of the bill is revolting to an Indian mind, and I oppose the first reading of the bill. Further, the bill, if it becomes law, may in actual operation give rise to fracas in public streets.

Mr. B. G. PAHALAJANI (Western Sind): I am very sorry that a bill of this kind should have been introduced in this Council. This section is proposed to be added to section 29 of the City of Bombay Municipal Act. Section 29 refers to the destruction of stray street dogs, muzzling of stray street dogs and so on. This section is sought to be added to a section which empowers the police to destroy stray dogs in the street. This section does not apply to cases of accidents referred to by the Honourable the Home Member; but it gives power to a police officer to destroy *any animal* on the certificate of the veterinary practitioner that the animal is so injured or diseased that it is cruel to keep it alive. So that this section gives power to any police officer to enter any house and go about *discovering whether there is any diseased animal*; and if the veterinary practitioner certifies that it is cruel to keep it alive, it should be shot without the consent of the owner, even if he refuses to get it destroyed. This section gives so much power to the police that they can enter any house to discover diseased animals. This section makes no exception whatever whether the animal is a cow or a horse or a dog. The policeman with the certificate of the veterinary practitioner can destroy any animal. The official members of this Council ought to know—some of them have remained here for over 30 years—that no Hindu would allow a cow to be destroyed in whatsoever condition it is. There are *panjrapoles* in which the worst diseased animals are nursed and fed, not because they are alive, but because it is a question of religion with the Hindus that they consider it their duty to preserve the life of animals to the very last moment. So far as this section is concerned, it proceeds on the assumption that animals have no soul, and that they deserve to be shot if they are not in a condition to live. The Hindu idea of soul is quite different from that held by westerners. It is revolting to a Hindu mind to destroy an animal in whatsoever condition it may be. Section 29 applies in the case of dogs only and this section that is proposed to be added on to it applies to *all animals without any discrimination*. This gives extraordinary power to a police officer to enter any house and destroy any animal which belongs to the private owner, simply because it is not in a condition to live. A measure of this kind would wound the religious susceptibilities of Hindus. Therefore, I request Government not to press this measure. I believe every Hindu who believes that every animal has soul will never consent to the passing of such a measure. I beg of the Home Department not to proceed with a measure of this kind.



Mr. A. MONTGOMERIE: Sir, it is surprising that there should be opposition to a measure of this kind. Before this bill was introduced a large number of associations, most of whom were composed largely of Hindus were consulted.

Mr. B. G. PAHALAJANI: Was this section sent to them?

Mr. A. MONTGOMERIE: This bill was sent to those associations and they were consulted. I am very much surprised that gross inhumanity should be attributed to a measure of this nature which has received, after mature consideration, the approval of the Bombay municipality. The Bombay municipality were consulted and they appointed a committee to consider this bill. They have—I believe the Bombay municipality contains a large number of Hindus—expressed their views in favour of this bill.

A bill was passed by the Bengal Legislative Council in exactly the same words; and so far as I know the Bengal Legislative Council contains a majority of Hindus. I can hardly think that the honourable member means what he says. Is it a decent sight to see some poor animal disembowelled, legs broken and bleeding, in the streets of Bombay? The only human thing that is recognised by any religion is to put the beast out of misery. It is inhumanity to allow this animal to suffer and remove it with the probability that it may break to pieces while so being removed.

As regards the suggestion made by the honourable member the Deputy President that this section gives power to the police to enter the house of a private individual, I should like to ask him to point out any words in the section which give the policeman the power to enter any house. If a policeman finds an animal so suffering it will be in the course of his duty on the public street.

Mr. B. G. PAHALAJANI: There is no word as “public street”.

Mr. A. MONTGOMERIE: Where are the words that empower a policeman to enter a private house? There are no words in this provision which gives such power. But I will have no objection to add the words “in a public place” after the word “finds”. As a matter of fact it is not necessary. As regards misuse of animals in private place, it comes under the provisions of the Cruelty to Animals Act. But this section only deals and is only intended to deal with the bare provision of public decency. I am perfectly sure that whatever the honourable member may do in Sukkur, the citizens of Bombay have no desire to see a severely injured animal lying about the public streets of Bombay. It is essentially a matter for the citizens of Bombay, and the citizens of Bombay by their representatives in the Corporation have unanimously approved the Act.

Mr. S. A. SARDESAI (Bijapur District): Sir, on behalf of the Hindu community, I strongly resent the introduction of this bill. I think, Sir, that the European members and those other honourable members who have spoken favouring the object of the bill have not understood the strong feelings of the Hindu community. Although this practice has been prevailing in civilised countries, to an Indian

[Mr. S. A. Sardesai]

mind this sort of sentiment is highly revolting. By the introduction of this immoral legislation, Government will authorise the police to capture any dog, or animal as the honourable member the Deputy President has pointed out and do anything they like. Suppose a dog is lying in an unconscious condition or in an injured condition on the public road, should not a Government servant remove it to some safer place like veterinary dispensary and take care of it until it recovers or dies a natural death. Our Hindu religion is dead against this sort of destruction. So, I think that this legislation is a very immoral one, and although this bill looks so very small apparently, it is none the less dangerous. Therefore, I strongly oppose the passing of this legislation into statute book.

Mr. R. G. SOMAN (Satara District): Sir, I rise to oppose the first reading of this bill, and the grounds on which I wish to oppose are two.

The Honourable Mr. B. V. JADHAV: Sir, I rise to a point of order. The honourable member is opposing the first reading of this bill, and I think it is now before the Council for the second reading.

Honourable MEMBERS: No, no.

Mr. R. G. SOMAN: Sir, I oppose it on two grounds. My first ground is that if we look to section 29-A, which is tried to be inserted in the Bombay City Police Act, it is stated that even if the owner refuses permission for the destruction of the animal, still the police officer has got the right, if he finds that the animal is severely injured, to destroy that animal against the wishes of the owner. So far as institutions like the Pinjrapole are concerned, they are established by people who belong either to the Gujarati or the Bhatia or the Jain Community, and who are by religious instinct opposed to the killing of any animals, even if the animals be of a ferocious kind or of a harmful character. I have, as a member of the mofussil community, even found that my Jain friends are opposed even to the killing of serpents. Unless it is absolutely necessary, which necessity does not exist in the present case, we should not hurt their religious sentiments in any way. Even if the owner refuses consent to the destruction of the animal, the police officer is given authority to take hold of that animal wherever it may be. The honourable the Home Secretary says that in the bill itself there are no words which authorise a police officer to enter into any private compound, but there are also no words restricting the application of this section only to public places. So, on this ground I oppose the insertion of this clause in the Act.

There is another ground on which also I wish to oppose the first reading of this bill, and that ground is this. Last year we passed a bill in the interests of the Bombay public for the prevention of the adulteration of food-stuffs. I made a remark at the time of the discussion of that bill that every bill that is introduced in this House creates some new posts which are to be maintained at public expense. We find from the wording of this bill also that veterinary practitioners are to be appointed for particular localities and areas. These new posts are

[Mr. R. G. Soman]

being created by this bill. I do not know whether they are honorary or to be paid. Last time, there was a discussion over the word 'appointment' which carries with it the sense of paid persons. If they are honorary, if any generous minded practitioners come forward to help the police officers, so much the better. But if any new posts are to be created, which are to be maintained at public expense, I would like certainly to oppose the bill. I would oppose any bill which would increase the expenses of the present Government unless any new posts are absolutely necessary in the interests of the people.

I find that the bill is likely to hurt the feelings of people who hold a particular religious sentiment, and also it creates new posts. So, on both these grounds I oppose the first reading of this bill.

Mr. C. M. SAPTARSHI (Ahmednagar District): Sir, my first reply is to the point raised by the honourable member Mr. Montgomerie. He said that he had consulted a large number of associations. We expected Government to enlighten us as to the names of those associations—which are those associations, from what places they were, what was their number, these we were absolutely unable to know. We are not prepared to agree to the dogmatic statement of the honourable member the Home Secretary.

Mr. A. MONTGOMERIE: On a point of order, Sir. I have given an assurance that we have consulted a large number of public bodies. Is it in order for the honourable member to say that he is not prepared to accept that statement of mine?

Mr. C. M. SAPTARSHI: What are their names?

Mr. A. MONTGOMERIE: I am quite willing to give the names.

The Honourable the PRESIDENT: I do not see there is any point of order. It is open to any honourable member to believe or not to believe.

Mr. A. MONTGOMERIE: I submit, Sir, that it is giving me the lie direct. Instead of saying that this is a lie, he says he is not prepared to believe me.

Mr. C. M. SAPTARSHI: The honourable member merely made a statement that he has consulted public bodies. He has not enlightened this House what the names of those bodies are.

The Honourable the PRESIDENT: He mentioned the Municipal Corporation.

Mr. C. M. SAPTARSHI: He only mentioned the Municipal Corporation. He still wants to be ambiguous; he is not giving the names. I am astonished at his resentment.

Mr. A. MONTGOMERIE: If the honourable member wants the names, I will give him. The Bombay Bar Association, the Bombay Workmen's Association, the Pleaders' Association of Western India, the Bombay Presidency Association, the Bombay Incorporated Law Society, the Servants of India Society, the Secretary of the League of

[Mr. A. Montgomerie]

Mercy, the Chairman of the Bombay Society for the Protection of Children, the Bombay Presidency Women's Council, the Parliamentary Sub-Committee, Bombay, the Bombay Society for the prevention of Cruelty to Animals, the President of the Bombay Municipal Corporation.

An Honourable MEMBER: What about the Bombay Humanitarian League?

Mr. C. M. SAPTARSHI: I am thankful to the honourable the Home Secretary for having given the names of all associations or public bodies. But I do not know what their reports are. Have they all supported the provisions of the bill?

Mr. A. MONTGOMERIE: I have already asserted that they have supported. If the honourable member wants it, I shall read all the reports. The only word of protest is in the letter of the Society for the Prevention of Cruelty to Animals. They approve the bill on principle, but think that Hindu sentiment might be against it. That is the only word of protest. That particular body consists, I believe, of Parsis.

Mr. C. M. SAPTARSHI: Then, Sir, as to the point that the Bombay Municipal Corporation has passed a unanimous resolution supporting the bill I would leave to the members of the Corporation present in this House to explain the attitude of the Corporation. The third point raised by the honourable member Mr. Montgomerie is that this bill is intended for the purpose of enabling police officers to use their powers in connection with diseased or injured animals on public streets. From the statement of objects and reasons I find that it does not cover other cases such as those of animals injured in accidents outside the streets. The honourable member the Deputy President made the remark that it empowers police officers to enter the house and use their powers. To that my honourable friend Mr. Montgomerie took serious objection and said that he was astonished. I myself am astonished at the attitude of the Home Secretary. I have carefully studied the new section 29-A. I find that it does not contain a single word which justifies this interpretation. There is no mention of "public street" in the whole section and I shall be obliged to the Home Secretary if he would enlighten the House as to the exact wording in the Calcutta Act. We do not know what is the exact language. ....

The Honourable Mr. J. L. RIEU: Sir, as a matter of fact I may explain to the honourable member that clause (1) of section 29-A is almost a verbal reproduction of the provision of the law as it exists in the Bengal Act. The only alteration is that 'Veterinary Practitioner' takes the place of 'Veterinary Instructors' in clause (1). Clause (2) is an addition which has been made on its being represented that veterinary instructors may not have sufficient qualification to decide a question of this nature. It is therefore considered desirable as a precautionary measure not to give the powers of certification to veterinary instructors generally and that is why veterinary practitioners have been given the power.

Mr. C. M. SAPTARSHI : I am thankful to the Honourable the Home Member for explaining the wording of the Bengal Act. The wording is certainly defective. It does not contain the words " public street " in the section and we therefore think that there is nothing to prevent a police officer entering a private house and using his powers. Now, Sir, the principles on which I oppose this bill are three. In the first instance the main principle is that we Hindus are opposed to the shooting of animals of that kind. We may differ on this question, but the feeling is there I know. My Musalman brothers do not share this view. But all the same the feeling is there and shared by a large portion of the public and we have to take that into consideration. Instead of shooting an animal it would be much better if it is sent to some veterinary hospital or any other institution for treatment. As the honourable member the Deputy President has said ours is not a feeling that the cow has no soul. We were taught in our schools that the cow has no soul, but we have no belief in the proposition that the cow has no soul. This is the first objection which we have got to the principle embodied in section 29-A. Secondly I object to the principle that anybody's animal should be shot by a police officer without his consent. If the owner of the animal is prepared to take care of the animal there is no reason why a police officer should arbitrarily shoot the animal. It is a perfectly vicious principle to which we cannot, submit. Thirdly, Sir, I am opposed to this power being invested in the police officers because the non-official side of this House have not got much confidence in them. The Police Commissioner can appoint his own officials under section 9. If this power is invested in the Assistant Commissioner or the Deputy Commissioner there is no likelihood of the power being abused. But I find that the section empowers the Police Commissioner to delegate to any police officer he likes which means subordinates such as Head Constables and such irresponsible people of the lower grade in the Police Department may be invested with this power. They are sure to abuse this power. I do not know about the Bombay City police ; but they are not angels and are like other police. If this power was invested in a magistrate on the report of the police officer it is absolutely different. Now the police officer will have the extraordinary power of shooting an animal without the consent of its owner. The principle is vicious in all respects and I submit that the bill should be thrown out.

Rao Saheb D. P. DESAI (Kaira District) : Sir, all the trouble arises from having two conflicting ideals of mercy. The framers of the bill think that shooting an animal which is diseased and which could not be cured is much better. We on the other hand think that God himself has ordained what is to come about and according to the Christian ideal none should be an instrument of God in such matters. That is the view held by the non-official side of this House. So far as stray dogs are concerned I should think that the provisions of section 29 may be necessary as they would naturally be dangerous in the street, but to shoot any diseased animal would in my humble opinion be a sort of cruelty. On the contrary Government should themselves have an

[Rao Saheb D. P. Desai]

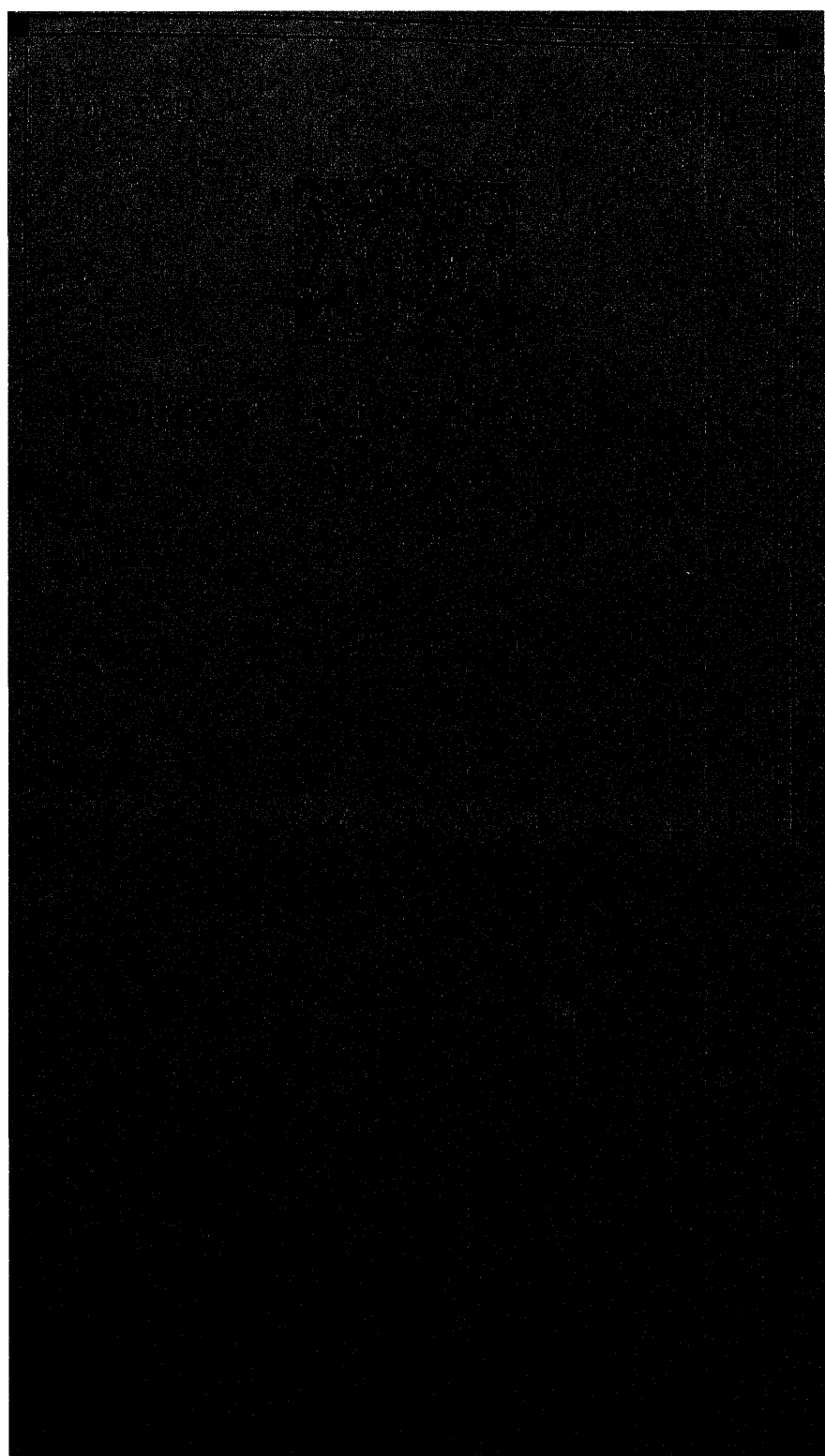
asylum in which diseased animal should be kept and veterinary officers may be engaged so as to cure those animals of the disease if the owner is not willing to do it. Instead of teaching this lesson to this presidency as a whole Government are teaching the lesson of cruelty by shooting the animals. Personally I was rather a bit suspicious about the associations consulted by the honourable member. He has omitted the Pinjrapole. If he has consulted this body he would have received a different answer and I think that the opinion of that most respectable body in Bombay should be taken before undertaking a measure of this sort. With these words I oppose the bill.

The Honourable the PRESIDENT: The House will now adjourn to 2 p.m. to-morrow, Wednesday, the 3rd March 1926.











3 MAR 1926]

*Wednesday, the 3rd March 1926.*

The Council re-assembled at the Town Hall, Bombay, at 2 p.m. on Wednesday, the 3rd March 1926, the Honourable the President, Sir IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E., presiding.

*Present :*

ABDUL LATIF HAJI HAJRAT KHAN, Mr.  
 ABERCROMBIE, Mr J. R.  
 ADDYMAN, Mr. J.  
 ADWANI, Mr D. B.  
 AHMAD, MOULVI RAFIUDDIN  
 ANGADI, Mr. S. N.  
 BEDREKAR, Khan Bahadur I. M.  
 BHOPATKAR, Mr. L. B.  
 BHURGRI, Mr. J. M.  
 BHUTTO, Khan Bahadur S. N.  
 BOLE, Mr. S. K.  
 BUNTER, Mr. J. P.  
 COOPER, Khan Bahadur D. B.  
 DABHOLKAR, Sir VASANTRAO A.  
 DADACHANJI, Dr. K. E.  
 DALVI, Mr. B. K.  
 DEHLAVI, the Honourable Mr. A. M. K.  
 DESAI, Rao Saheb D. P.  
 DEV, Mr. S. S.  
 DIXIT, Dr. M. K.  
 FERNANDEZ, Dr. COSMAS  
 FRAMJI, Mr. K. S.  
 GHOSAL, Mr. J.  
 GHULAM HUSSAIN, the Honourable Sir  
 GUNJAL, Mr. N. R.  
 HAJI KHAMISO GUL MAHOMED  
 HAMID M. ABDUL ALI, Mr.  
 HARRISON, Mr. C. S. C.  
 HATCH, Mr. G. W.  
 HEPPER, Sir LAWLESS  
 HUDSON, Sir LESLIE  
 JADHAV, the Honourable Mr. B. V.  
 JATOI, Khan Saheb HAJI SERAI IMAMBAKSH  
 JATOI, WADERO KADIRBAKSH  
 JEHangIR, the Honourable Mr. COWASJI  
 JOG, Mr. V. N.  
 JOSHI, Mr. P. G.  
 KAMBLI, Rao Bahadur S. T.  
 KARKI, Mr. M. D.  
 KAZI INAITULLAKHAN  
 KHUHHO, Mr. M. S.

KOKANI, Mr. G. J.  
 KOTHARI, Mr. V. R.  
 LAGHARI, HAJI FAZUL MUHAMMAD KHAN  
 LALJI NARANJI Mr.  
 LALLJEE, Mr. HOOSAINBHAY A.  
 LAWRENCE, the Honourable Sir HENRY  
 MANSURI, Khan Saheb A. M.  
 MASTER, Mr. A.  
 MAVALANKAR Mr. G. K.  
 MCKEE, Mr. W. G.  
 MEHTA, Dr. M. M.  
 MEHTA, the Honourable Sir CHUNILAL  
 MONTGOMERIE, Mr. A.  
 MOUNTFORD, Mr. L. J.  
 MUJUMDAR, Sardar G. N.  
 MURADAM, Mr. W. S.  
 MUKHI JETHANAND PRITAMDAS  
 NARIELVALA, Mr. H. H.  
 NARIMAN, Mr. K. F.  
 NAVLE, Mr. N. E.  
 NEKKALJAY, Mr. R. S.  
 NOOR MAHOMED, Mr.  
 OWEN, Mr. A. C.  
 PAHAIAJANI, Mr. B. G.  
 PARANJPYE, Dr. R. P.  
 PATEL, Mr. A. E.  
 PATEL, Mr. D. N.  
 PATEL, Mr. G. I.  
 PATHAN, Mr. A. F. I. K.  
 PATIL, Mr. D. R.  
 PERCIVAL, Mr. P. E.  
 PETCH, Mr. F. W.  
 POWAR, Mr. M. B.  
 PRADHAN, Mr. G. B.  
 PRADHAN, Mr. R. G.  
 PUNJABHAI THAKERSI, Mr.  
 RAHIMTOOLA, Mr. HOOSAINALLY M.  
 RIEU, the Honourable Mr. J. L.  
 SAHEBA, Mr. H. D.  
 SAPTARSHI, Mr. C. M.  
 SARDESAI, Mr. S. A.  
 SAYED SHAHJADE SAHEB HAIDAR SAHEB  
 SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.  
 SHINDE, Mr. B. D.  
 SHIVDASANI, Mr. H. B.  
 SOMAN, Mr. R. G.  
 SURVE, Mr. A. N.  
 SURVE, Mr. V. A.  
 SWAMINARAYAN, Mr. J. C.

THAKOR of Kerwada, the  
 THOMAS, Mr. G. A.  
 VELKAR, Dr. M. B.  
 WEBB, Mr. M.  
 WILES, Mr. G.  
 WOODS, Mr. E. E

The Honourable the PRESIDENT : Order, order. Questions.

#### WELFARE ORGANISATIONS IN THE PRESIDENCY.

Mr. ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities). Will Government be pleased to furnish the following information—

- (a) The names of maternity and infant welfare organisations in the presidency (voluntary, municipal and Government).
- (b) The nature of their activities.
- (c) Their annual income and its sources.
- (d) Their annual expenses
- (e) Whether Government gives grants to any of these organisations and, if so, their names and the amounts given.

The Honourable Mr. B. V. JADHAV : Enquiries are being made.

#### DRINKING WATER-SUPPLY AT RAILWAY STATIONS.

Mr. ABDUL LATIF HAJI HAJRAT KHAN on behalf of Mr. N. A. ABDULPURKAR (Sholapur City): Will Government be pleased to state—

- (a) Whether they are aware of the fact that there are no adequate arrangements for drinking water on several railway stations especially small ones of the different railway companies in the presidency?
- (b) If so, do they propose to take any action in the matter?

The Honourable Sir CHUNILAL MEHTA : (a) Government are informed that the arrangements for drinking water on the different railways in the presidency are adequate.

- (b) Does not arise.

MOULVI RAFIUDDIN AHMAD : May I ask if the honourable member is satisfied himself with regard to the arrangements made by the railway company for drinking water, or is he only satisfied with the replies of the railway companies?

The Honourable Sir CHUNILAL MEHTA : I might explain the position, Sir. I sent this question to the railway companies. The various railway companies in the presidency sent their replies and their replies are stated here. I do not see how I can make any personal enquiries or through officers of Government, but I should suggest generally on railway questions, for the convenience of the House, that if honourable members will ventilate questions of this character in the advisory committees which meet every month, and on which members of this Legislative Council are represented, they will probably find a quicker and a fuller explanation.

MOULVI RAFIUDDIN AHMAD : But is it impossible for the honourable member to send any of his secretaries or other officers to make personal enquiries in the matter ?

The Honourable Sir CHUNILAL MEHTA : I fear, Sir, that it would be very difficult either for the honourable member or for his secretaries or any responsible officer to go all over the line and to see whether these facilities exist or not. It must also be remembered that railways are not directly under the charge of the local Government.

Mr. G. B. PRADHAN : Did the honourable member request the railway companies to answer his enquiries after consultation with the advisory committees ?

The Honourable Sir CHUNILAL MEHTA : No ; that course is not very feasible because that would mean that answers would not be received during the session. The advisory committees meet once in a month and if the railway authorities wait to get the opinion of the advisory committees, you would not get the answers during the session.

Mr. L. B. BHOPATKAR : Did the Government send the question and answer to the advisory committees of the railway companies ?

The Honourable Sir CHUNILAL MEHTA : No ; Government do not deal directly with the advisory committees ; Government can only deal with the railway companies.

MOULVI RAFIUDDIN AHMAD : But cannot the Government deal with the Railway Board of the Government of India, at Simla ?

The Honourable Sir CHUNILAL MEHTA : Government have been in communication some time ago with the Railway Board on questions regarding railways which are to be answered by the local Government. It is not altogether easy to demarcate the line as to how questions should be dealt with ; but the Government of India have generally told us that questions on matters of local interest can be asked in the Legislative Council and be referred to the agents of the railway companies for information. We have directly no means of getting information.

The Honourable the PRESIDENT : Questions are admitted on that basis.

The Honourable Sir CHUNILAL MEHTA : Yes, questions are admitted on that basis ; and I think members would find more satisfaction if they raise the questions with the advisory committees themselves and if the honourable members would refer to any particular point on which they want information. Now in regard to questions of this wide character, like whether there are adequate arrangements for drinking water on several railway stations of the different railway companies, it is really very difficult for Government to do anything more than they have done.

#### PAY OF MAMLATDARS.

Mr. S. N. ANGADI (Belgaum District) : (a) Will Government be pleased to state whether it is a fact that a deputation of mamlatdars waited upon His Excellency the Governor in the month of November

last, with a view to represent their long-standing grievance in the matter of revision of pay ?

(b) If so, will Government be pleased to place on the table a copy of the reply given ?

The Honourable Sir CHUNILAL MEHTA : (a) Yes. A representation was received in person by His Excellency the Governor from a deputation of the Mamlatdars' Association in the Northern Division.

(b) A copy of the reply is placed on the Council Table\*.

#### LAND REVENUE ASSESSMENT IN KARJAT TALUKA.

Mr. L. B. BHOPATKAR (Poona) : Will Government be pleased to state—

(a) whether it is a fact that the Collector, Kolaba, issued orders in 1923 that there would be an increase in land revenue by only 25 per cent. in the aforesaid taluka ;

(b) whether the khatedars have paid such increase for two years, i.e., for 1922-23 and 1923-24 ;

(c) whether it is a fact that the Collector, Kolaba, is realising now the difference between 33½ per cent. and 25 per cent. for the years 1922-23 and 1923-24 as balance due from the khatedars ;

(d) will Government lay on the table copies of all orders passed by the Collector, Kolaba, to his subordinates in this behalf ;

(e) whether applications were made by any of the khatedars requesting the Collector to explain how the balance was shown against their names in the village accounts ;

(f) whether attachments were made of the goods of such khatedars before their applications referred to above were disposed of, and before any explanation as prayed for in their applications was vouchsafed to them ?

The Honourable Sir CHUNILAL MEHTA : (a), (b) and (c) Yes.

(d) Copies of the Collector's orders to the Mamlatdar, Karjat, in vernacular, are placed on the Council Table†.

(e) Three applications of the kind were received by the Collector.

(f) No.

Mr. G. B. PRADHAN : Will the honourable member be pleased to state why the previous circular was cancelled by the present Collector ?

The Honourable Sir CHUNILAL MEHTA : It was a mistake made by the Collector's office ; Igatpuri concessions were applied, when really Bhiwandi concessions ought to have been applied to this tract.

Mr. G. B. PRADHAN : When the orders were issued, two circulars were issued by the previous Collector. Were both these circulars stopped ?

The Honourable Sir CHUNILAL MEHTA : I do not know ; I have placed the copies of the Collector's orders on the table as asked in this question.

\* Vide Appendix No. 33.

† Kept in the Secretary's office.

Mr. G. B. PRADHAN : Is the honourable member aware that 50 per cent. more revenue was charged to the khatedars owing to this so-called mistake in a single year ?

The Honourable Sir CHUNILAL MEHTA : No. Sir. What actually happened was this, that 25 per cent. in the first two years was recovered, when there ought to have been recovered 33 $\frac{1}{3}$  per cent. each year. In the next year, in order to make up the deficit, the Collector asked for 50 per cent so as to make up the whole 100 per cent. If the mistake had not been made, then for the three years a uniform 33 $\frac{1}{3}$  per cent. would have been recovered for each year, which means 100 per cent. in all ; so that, really, nothing more has been charged for the whole three years than would have been charged if the proper percentage was recovered each year during those three years.

Mr. G. B. PRADHAN : Did Government take into consideration the hardship caused to the khatedars by 50 per cent. being recovered from them in one year ?

The Honourable Sir CHUNILAL MEHTA : I rather think it can hardly be called hardship because instead of paying 33 $\frac{1}{3}$  per cent. they only paid 25 per cent. during the first two years.

Mr. G. B. PRADHAN : Is the honourable member aware that in calculating the Dharsod धरसोड even if there are one or two pies they are calculated as one anna ?

The Honourable Sir CHUNILAL MEHTA : I am not aware of it.

Mr. G. B. PRADHAN : Is the honourable member aware that in the instance given in the circular when there are two pies they are calculated as one anna and the six pies in the original assessment are also taken as one anna, so when the real calculation is Rs. 1-11-8, it is taken as Rs. 1-12-0 ?

The Honourable Sir CHUNILAL MEHTA : It is very difficult to follow calculations across the table ; but I have looked into this question before. It is not correct that the kasar is always made in favour of Government. If it is above six pies it is made into one anna ; and if it is below half anna it is nothing.

Mr. L. B. BHOPATKAR : Were these applicants given any reply ?

The Honourable Sir CHUNILAL MEHTA : I cannot answer off-hand, but I presume that they must have been given a reply.

Rao Sahab D. P. DESAI : (Inaudible).

The Honourable Sir CHUNILAL MEHTA : Igatpuri concessions were applied and it was a mistake.

Mr. L. B. BHOPATKAR : Were the khatedars informed that a mistake had been committed ?

The Honourable Sir CHUNILAL MEHTA : I have placed the order on the Council Table ; and I presume it admits the mistake.

Mr. H. B. SHIVDASANI : Are Government aware that the cultivators keep no balance ?



The Honourable Sir CHUNILAL MEHTA : Government are not exactly aware.

#### REVENUE SETTLEMENTS.

Khan Bahadur D B. COOPER (Satara District) : Will Government be pleased to state—

In what talukas or areas of the Presidency, Revision Settlement has been introduced during the past five years and what have been the increases or decreases in the revenue due to the introduction ?

The information may please be supplied in the following form—

- (1) Name of the Taluka or the particular area
- (2) Date of the last revision
- (3) Revenue at the time of the settlement.
- (4) Revenue under the Revision Settlement.
- (5) Increase or decrease as the case may be.

The Honourable Sir CHUNILAL MEHTA : The requisite information is contained in the appended statement\*.

Rao Saheb D. P. DESAI : Are the calculations made on the basis of war prices or normal prices ?

The Honourable Sir CHUNILAL MEHTA : War prices have been expressly excluded in the Settlements that I have seen.

#### BOTANICAL GARDENS IN BOMBAY PRESIDENCY.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

- (a) how many botanical gardens there are in the Bombay Presidency and where ;
- (b) how many of them are under Government management ;
- (c) how many of them are maintained by private or municipal bodies and
- (d) how many of them are given grants-in-aid by Government ?

The Honourable Mr. A. M. K. DEHLAVI : (a) Three—the Ganeshkhind Botanical Gardens, Kirkee, the Empress Botanical Gardens, Poona and the Victoria Gardens, Bombay.

(b) One ; viz., the Ganeshkhind Botanical Gardens.

(c) The Empress Botanical Gardens and the Victoria Gardens are under private and municipal management, respectively.

(d) None, ordinarily ; but Government promised the Agri-Horticultural Society of Western India who maintains the Empress Botanical Gardens, Poona, to make up certain deficiencies in the cost of running the gardens. The Society has, however, only applied for such a grant once during the last twenty years.

MOULVI RAFIUDDIN AHMAD : When was the Ganeshkhind garden turned into a botanical garden ?

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\* Vide Appendix No. 34. \*

The Honourable Mr. A. M. K. DEHLAVI: I want notice of the question.

Rao Saheb D. P. DESAI: What sort of botanical work is carried on there?

The Honourable Mr. A. M. K. DEHLAVI: If the honourable member wants any definite information, and if he gives notice of that I will give a complete reply.

Rao Saheb D. P. DESAI: The botanical work carried on in one garden may not be the same in the other. So, what sort of botanical work is carried on in the Ganeshkhund Gardens?

The Honourable Mr. A. M. K. DEHLAVI: I have nothing more to add.

Mr. H. B. SHIVDASANI: Do these gardens get grants from Government?

The Honourable Mr. A. M. K. DEHLAVI: Yes.

Rao Bahadur S. T. KAMBLI: What is the amount of grant?

The Honourable Mr. A. M. K. DEHLAVI: I want notice of the question.

#### PRIMARY EDUCATION.

Rao Saheb D. P. DESAI (Kaira District): Will Government be pleased to state—

(a) the names of the districts where the local authorities have taken up primary education under the Primary Education Act;

(b) the conditions under which the Government inspecting staff including the deputy educational inspectors and their offices have been transferred to these local authorities (district local boards);

(c) whether it is a fact that the assistant deputies have not been transferred to the local boards' service though they serve under these authorities;

(d) whether it is a fact that the deputy educational inspectors have been transferred to the service of the local authorities?

The Honourable Mr. B. V. JADHAV:

(a) 1. Satara, 2. Ahmednagar, 3. East Khandesh, 4. Sholapur, 5. West Khandesh, 6. Thana, 7. Nasik, 8. Bombay Suburban District.

(b) Government Resolution, No. 2086, dated the 30th November 1925 "which is placed on the Council Table supplies the required information."

(c) Yes; please see, however, the reply to paragraph (b) above.

(d) Yes; for the present in the first seven districts mentioned in paragraph (a) above.

Rao Saheb D. P. DESAI: (Inaudible).

The Honourable Mr. B. V. Jadhav : I think it is the administrative officer.

Mr. R. G. Soman : Has the Ahmednagar district local board received its due contribution from Government ?

The Honourable Mr. B. V. JADHAV : I do not think the Ahmednagar district local board has yet opened any new schools.

Mr. R. G. SOMAN : Is it not a fact that the Ahmednagar district local board has collected its own taxes ?

The Honourable Mr. B. V. JADHAV : The contribution is to be given not on the taxes collected but on the amount spent.

Mr. K. F. NARIMAN : Has the Bombay municipality received its contribution ?

The Honourable Mr. B. V. JADHAV : I do not think that question arises out of this question.

Mr. K. F. NARIMAN : I want you to decide, Sir, and not the Honourable Minister.

The Honourable the PRESIDENT : Out of which part of the answer does this supplementary question arise ?

Mr. K. F. NARIMAN : It is a question of contribution by the Government to municipalities, though my question refers to a particular municipality.

The Honourable the PRESIDENT : The question is :

\* " Will Government be pleased to state (a) the names of the districts where the local authorities have taken up primary education."

How can Bombay come under that ? I think the Honourable Minister is right.

Rao Sahib D. P. DESAI : Why have not these officers been placed under the control of the school board ?

The Honourable Mr. B. V. JADHAV : They will be placed under the school board when the local authorities accept their services.

Dr. R. P. PARANJPYE : Will the deputy educational inspectors be placed under the control of district local boards without any cost to them ?

The Honourable Mr. B. V. JADHAV : Yes.

Dr. M. K. DIXIT : Are these administrative officers to be paid by local bodies or by Government ?

The Honourable Mr. B. V. JADHAV : By Government through the district local board.

#### EXPANSION OF PRIMARY EDUCATION.

Rao Sahib D. P. DESAI (Kaira District) : Will Government be pleased to state whether it is a fact that the proviso to Rule 109 under the Bombay Primary Education Act makes any further expansion of primary education on a voluntary basis dependent on the financial resources of Government ?

The Honourable Mr. B. V. JADHAV : No. Local bodies may proceed with their schemes for the expansion of primary education on a voluntary basis by means of funds raised by local taxation or derived from other sources. Government are now paying  $\frac{2}{3}$  of the total extra expenditure and this fact has been recognised by the comparatively poor districts of Satara and Belgaum, which have, by means of new taxation aided by the Government grant increased the number of their primary schools by 323 and 150, respectively.

Rao Saheb D. P. DESAI : Is it true that the Honourable Minister for Education thinks that the provision of primary education is the primary duty of the Government and not of the local bodies ?

The Honourable Mr. B. V. JADHAV : It is asking for opinion

Rao Saheb D. P. DESAI : Is it true that the Honourable Minister holds that opinion ?

(No reply.)

The Honourable the PRESIDENT : I take it that the Honourable Minister does not wish to reply, because I have waited sufficiently long and he has not replied.

#### THE KHARI IRRIGATION SYSTEM—REPAIR OF.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) whether they intend to repair the sluices of the Khari Irrigation System in the Kalambandhi villages of the Matar Taluka in the Kaira District which were damaged or broken or rendered useless or silted up by the diversion of the Khari waters ;

(b) whether they intend to clear the bed of the Khari river silted up with sand on account of the scouring action of the river being prevented by the diversion of its waters at the Raipur weir ?

The Honourable Mr. COWASJI JEHangIR : (a) As there are no sluices in such a condition in the area referred to, the point does not arise.

(b) Silt below Pinglaj is cleared from time to time as necessity arises, but no clearance of the Khari above Pinglaj is necessary as the floods scour any accumulation of it.

#### THE HATHMATI CANAL.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state whether they intend to close down the Hathmati Canal that feeds the Bokh ?

The Honourable Mr. COWASJI JEHangIR : The matter is under consideration.

#### SILT IN THE KHARI BED.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) how many feet of sand have collected above sill level above Raipur on account of the diversion of the Khari waters into the Khari cut ;

(b) whether it is a fact that the constant closing down of the gates at Raipur has led to the collection of silt above the weir at Raipur ?

The Honourable Mr. COWASJI JEHangIR : (a) No sand has collected above the sill level of the weir at Raipur.

(b) No.

#### WATER SUPPLY OF LOWER SIND.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) whether it is a fact that after the Barrage system of irrigation comes into operation the people of Lower Sind will not get sufficient water for their kharif and rabi crops ;

(b) whether it is a fact that the area under rice crop in the portion of Lower Sind not under command of the Sukkur Barrage irrigation system of canals will also get insufficient water ;

(c) whether it is a fact that the question of the probable deficit of irrigation water in Lower Sind had not been considered by Government at the time of making the Sukkur Barrage project though the people of Lower Sind had protested against the project as prepared ;

(d) if the reply to the above be in the negative, whether the present supply of irrigation water to the cultivators of Lower Sind will be maintained after the Barrage canals come into operation ?

The Honourable Mr. COWASJI JEHangIR : (a), (b) and (c) No. (d) Yes.

#### PAY OF FIRST YEAR TRAINED TEACHERS.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) whether it is a fact that first year trained teachers of 1925 are given the initial pay of Rs. 20 in this Presidency ;

(b) if the reply to the above be in the affirmative, to state what recommendations were made by the Sathe-Paranjpye and Surve committees in this behalf ?

The Honourable Mr. B. V. JADHAV : Enquiries are being made.

#### EXPENDITURE OVER EDUCATIONAL BUILDINGS.

Rao Saheb D. P. DESAI (Kaira District) : Will Government be pleased to state—

(a) the amount of money spent from provincial ordinary revenues and from borrowed funds during each of the last ten years on (i) college buildings ; (ii) secondary school buildings ; (iii) primary school buildings ;

(b) the grants-in-aid made during the same period to either local bodies or to private bodies from such funds for the same purpose ?

The Honourable Mr. B. V. JADHAV : Information is being obtained.

## REVENUE FROM TODDY TREES IN SURAT DISTRICT.

Rao Sahab D. P. DESAI (Kaira District): Will Government be pleased to state—

(a) the number of toddy trees tapped in the Surat District during the years 1920-21, 1923-24 and 1924-25;

(b) the revenue derived during the same years from this source?

The Honourable Mr. A. M. K. DEHLAVI: The honourable member is referred to Appendix D and Imperial Return I appended to the Excise Administration Reports for the years in question.

Rao Sahab D. P. DESAI: Sir, although I have read through that report, I am not able to get an answer to my question.

The Honourable Mr. A. M. K. DEHLAVI: The honourable member will please read it again.

## FODDER INSUFFICIENCY IN DHULIA TALUKA.

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(a) whether they are aware that even now, immediately after the rainy season is over, fodder supply in Dhulia taluka is insufficient;

(b) whether they or any local revenue or forest officers received any representations from the Gaolis and others in the said taluka to give them facilities in reserved forests to take grass and anjan leaves;

(c) what steps they propose to take to meet this insufficiency of fodder supply in the taluka?

The Honourable Sir CHUNILAL MEHTA: (a) No.

(b) Yes.

(c) Two wagon loads of Nawapur grass were put up for auction in Dhulia on 1st December 1925 but no bids were received. The inhabitants were allowed to graze cattle and take anjan leaves on pass, except from reserved Kurans and closed forest, which it is unwise to deplete soon after the rains: anjan leaves from these areas are intended to be taken after the grass is finished. The contractor who purchased the Kurans in auction for cutting grass was allowed over three months ago to open the Kurans for grazing on fee.

## NUMBER OF SUITS FILED IN THE CIVIL COURTS IN KHANDESH.

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(1) the number of (a) small cause and (b) regular suits filed separately in the subordinate judges' courts at Jalgaon, Bhusaval, Yaval, Amalner and Erandol under the jurisdiction of the district court at Jalgaon and at Dhulia, Chalisgaon, Nandurbar and Shirpur under the jurisdiction of the district court at Dhulia, in the month of October after the 12th of that month, on which day separate jurisdictions for East and West Khandesh were constituted, and in every month thereafter;

(2) the number of suits of special jurisdiction filed in the first class sub-judge's courts at Jalgaon and also at Dhulia during the same period ?

The Honourable Mr. J. L. RIEU : Statistics\* are laid on the Council table.

#### TECHNICAL AND INDUSTRIAL EDUCATION.

Mr. S. S. DEV (West Khandesh District) : Will Government be pleased to state—

(1) since when they have adopted the policy of postponing the claims of technical and industrial education in favour of primary education ;

(2) whether there is any prospect in the near future of their undertaking a scheme for technical and industrial education ;

(3) whether they are even now in a position to give any definite information as to when any action will be taken on the report of the Technical and Industrial Education Committee, appointed in 1921 ?

The Honourable Mr. B. V. JADHAV : (1) Since October 1924.

(2) In view of the financial stringency, the prospect is very uncertain.

(3) The reply is in the negative.

Mr. C. M. SAPTARSHI : Did the Honourable Minister, after taking charge take in hand any scheme in pursuance of that report ?

The Honourable Mr. B. V. JADHAV : As there was financial stringency no scheme could be prepared, but Government have taken care to provide funds for the Victoria Jubilee Technical Institute and the Engineering College, Poona, as recommended by the Committee.

Mr. P. G. JOSHI : Am I to understand that a scheme has been prepared ?

The Honourable Mr. B. V. JADHAV : A scheme, as far as these two institutions are concerned, has been prepared.

Mr. C. M. SAPTARSHI : Am I to understand that the preparation of the scheme was so expensive that it was not undertaken on account of the financial stringency ?

(No reply.)

Mr. P. G. JOSHI : Will the Honourable Minister be pleased to lay the scheme on the Council table ?

The Honourable Mr. B. V. JADHAV : Yes : it will be laid on the Council table when it is ready.

Mr. P. G. JOSHI : When it is ready !

Mr. C. M. SAPTARSHI : Sir, I have not got a reply to my question.

The Honourable the PRESIDENT : Government benches are not bound to reply. Have I not repeatedly said so ?

MOULVI RAFIUDDIN AHMAD : Sir, is there any sign or symbol by which we can know that he does not want to reply ?

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\* *Vide* Appendix No. 36.

The Honourable the PRESIDENT : He does not get up : that is all.

Mr. G. I. PATEL : Was there financial stringency in 1924-25 when this policy was admitted and adopted ?

The Honourable Mr. B. V. JADHAV : Yes : there was financial stringency.

Mr. S. S. DEV : Will any scheme be ever available ?

The Honourable Mr. B. V. JADHAV : As a matter of fact, in the report of that committee Dewan Bahadur Godbole had minuted that the following schemes should be taken up as early as possible, mentioning the Victoria Jubilee Technical Institute and the Poona Engineering College. And Government have been working on the scheme supplied by him, and for the present the Engineering College, Poona, is being developed as also the Victoria Jubilee Technical Institute in Bombay.

Mr. P. G. JOSHI : Am I to understand, then, that the scheme is ready, and that Government is working on it ; and if so, will Government be pleased to lay the scheme on the Council table ?

The Honourable Mr. B. V. JADHAV : As far as these two institutions are concerned, the scheme is there, and Government will place it on the table at any time.

#### TEACHING OF ENGLISH LANGUAGE IN PRIMARY SCHOOLS.

Mr. S. S. DEV (West Khandesh District) : (1) Will the Honourable Minister for Education be pleased to give—

(a) the number of full primary schools teaching up to the VII standard ;

(b) in which of these schools English is taught in pursuance of the Government resolution that English may be taught to boys and girls in standards V, VI and VII ?

(2) Will the Honourable Minister be pleased to state when full effect will be given to the resolution by extending it practically to all complete primary schools in the presidency ?

The Honourable Mr. B. V. JADHAV : (1) (a) Information has been called for.

(b) The accompanying statement\* supplies the information required.

(2) The attention of the honourable member is invited to the Press Note,\* dated the 1st September 1923, a copy of which is attached hereto, which explains the policy of Government as regards the maintenance of the existing classes and similar classes to be opened by local authorities in future if they so desire.

Dr. R. P. PARANJPYE : May I enquire whether these teachers who were Government servants formerly are still continuing as Government servants ?

The Honourable Mr. B. V. JADHAV : They are still continuing as Government servants.

\* Kept in the Secretary's Office.



Dr. R. P. PARANJPYE: What is the intention of Government as regards these teachers when the schools will be transferred to the local boards?

The Honourable Mr. B. V. JADHAV: They will be transferred to the district local boards.

#### MISSIONARY INSTITUTIONS IN WEST KHANDESH.

Mr. S. S. DEV (West Khandesh District): Will Government be pleased to state—

(1) how many Christian Mission Institutions there are in West Khandesh and at what places they are located;

(2) whether any of them receive or have received any kind of aid or concessions from Government;

(3) whether any of them have got lands from Government? If so,  
(a) which of them; and

(b) how many acres of land;

(4) the number of converted males and females in each of those institutions;

(5) to what caste each of the converted persons belonged before conversion?

The Honourable Mr. J. L. RIEU: (1) As the Missions referred to are private bodies, Government regret they cannot supply the information required in this part of the question.

(2) and (3) A statement giving the information is placed on the Council Table.\*

(4) and (5) Government have no information.

Mr. S. S. DEV: At pages 42-43, you will find two survey numbers, measuring 23 acres and 3 gunthas, given to one mission in connection with anti-malarial campaign. May I know what has land to do with anti-malarial campaign?

The Honourable Mr. J. L. RIEU: I am afraid I am unable to answer the honourable member's question. If he gives notice I will have enquiry made.

MOULVI RAFTUDDIN AHMAD: Notice was given, and reply has been made. The only question is what is the nature of that campaign?

Mr. S. S. DEV: The question is what have the two survey numbers to do with the anti-malarial campaign?

The Honourable Mr. J. L. RIEU: I am afraid I cannot give a reply to that question offhand.

Mr. W. S. MUKADAM: Is it a fact that part of the lands given is put to uses other than that for which they were given?

The Honourable Mr. J. L. RIEU: If they are so used, presumably the grants would be subject to cancellation.

Mr. W. S. MUKADAM: May I know whether Government has made any enquiry whether the land is used for the purpose for which it was given?

The Honourable Mr. J. L. RIEU: It is the duty of the local officers to keep themselves informed on the subject.

Mr. W. S. MUKADAM: May I know whether Government have enquired if the local officers have made any enquiries regarding it?

The Honourable Mr. J. L. RIEU: No.

Mr. W. S. MUKADAM: Will they be pleased to do it now?

The Honourable Mr. J. L. RIEU: No.

#### LIBERALISING THE CONSTITUTION OF MUNICIPALITIES.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) How many municipalities in the Central Division have uptill now adopted the principles laid down in Government Resolution No. 9693, General Department, dated 14th September 1920;

(b) Which of them had a chance to bring those principles into effect in conformity with the Government Order No. 6176, General Department, dated 18th May 1921?

(c) (1) Names of municipalities which have adopted the above principles;

(2) The Mahomedan and non-Mahomedan population residing in each of those municipalities;

(3) The number of wards they were divided into for election purposes before the adoption of those principles, giving the information separately for each municipality;

(4) Number of seats apportioned to each of such wards;

(5) The number of wards sanctioned in each of those municipalities after they adopted the principles stated in Government Resolutions mentioned above, giving the number of seats apportioned to each of those wards treating each municipal case separately;

(6) Whether any of these had reserved any seats for the Mahomedans; if so, the names of these municipalities and the number of seats so reserved by each of them;

(7) The average population per ward in each of those municipalities as it stood both before and after the adoption of the principles laid down in Government Resolution No. 9693 stated above;

(8) Whether any of these municipalities were allowed to form their wards on the basis of the number of voters as against the principle laid down by Government, *viz.*, "to form them on territorial basis only"; if so, what steps were taken or are likely to be taken to give effect to the principle of dividing the area on territorial basis only?

The Honourable Sir GHULAM HUSSAIN : (a) and (b) These parts have already been answered.

- (c) 

(1)	}	The accompanying statement furnishes the information required.*
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		

#### PATS AND BANDHARAS IN POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District) : Will Government be pleased to state—

(a) Whether they are aware that many pats and *bandharas* are in disrepair in the Poona District for want of masonry work ?

(b) What is the total amount recovered for water rate in the Poona District and how much of it was spent on the repair or reconstruction of the masonry work of pats and *bandharas* for the year ending 31st December 1924 ?

(c) Will Government be pleased to state whether the trustees of Shri Siddheshwar Samsthan, Khed, district Poona, have demanded from lower original riparian land-holders a higher water rate than was fixed at the survey operations, for the use of water from Bhagirathi Kund recently transferred to the trust by Government ?

(d) Will they be pleased to state whether it is a fact that the Bhagirathi nala near Alandi is at present polluted by the water from the village drain being allowed to flow into it ?

(e) If so, do they propose to take any action in the matter ?

The Honourable Sir CHUNILAL MEHTA : (a) No, except the bandhara at Narayangaon which requires slight repairs to stop leakage in the masonry walls.

(b) The account for water rate collected is kept for the financial year and not the calendar year. The total amount recovered on account of water rate during the year 1924-25 is Rs. 4,473-1-3. No amount was spent on repair or reconstruction during the said year.

(c) No.

(d) Yes. But this pollution is not of recent date.

(e) The matter is under consideration of the Alandi Municipality.

Mr. M. B. POWAR : With regard to (b) of the reply, may I know why no amount was spent on reconstruction or repair ?

The Honourable Sir CHUNILAL MEHTA : I presume because these bandharas are taken up for repair in their turn, and the turn of this particular bandhara was not reached.

\* Vide Appendix No. 38.

## INDIGENOUS DRUGS.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to supply a list of indigenous drugs the properties of which have been investigated at the Parel laboratory or elsewhere, and which have been found useful and are already in use in Government institutions so that the several local boards and municipalities may be able to make use of them?

The Honourable Mr. B. V. JADHAV: Indigenous drugs are not investigated in any Government laboratory, except the Haklani Institute at Parel. The only drugs being investigated in the laboratory at present are:—

*Holarrhena antidysenterica*—a reputed remedy for dysentery.

*Gymnema sylvestre*—said to be beneficial in diabetes.

*Butea frondosa*—a reputed remedy for worms.

The value of none of these has been so far satisfactorily established, but their trials have not yet been completed.

## PUBLIC FUNDS LYING WITH THE COLLECTOR OF POONA.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) how many public funds are lying with the Collector of Poona and what is the amount of each fund;

(b) how are the funds, if any, managed by the Collector, whether by the appointment of a committee of nominated or elected members and what the names of such members are?

The Honourable Sir CHUNILAL MEHTA: (a) One, viz. His Excellency the Viceroy's Leprosy Fund amounting to Rs. 17,063 10 out of which there was in October 1925 a balance of Rs. 2,790-12-3 lying with the Collector in his Personal Deposit Account.

(b) The management of this vests in a Committee of nominated members whose names are given in the attached list.\*

## TAGAVI LOANS IN POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) the amounts given to agriculturists of the Poona District during the year ending 31st March 1925 as loans on interest according to each taluka and mahal.

(1) for the improvement of their lands and wells;

(2) for the purchase of bullocks and seeds;

(b) what is the rate of interest charged on each kind of these loans;

(c) whether any amounts were given free of interest for the above purposes in the Poona District for the said period?

The Honourable Sir HENRY LAWRENCE: (a) and (b) A statement giving the information is placed on the Council table.†

(c) No.

\* Vide Appendix Nos. 39.

† Vide Appendix No. 40.

## SCHOOLS FOR THE POONA DISTRICT.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) Why no additional primary schools were opened in the Poona District when with the concurrence of the Educational Authorities it was settled that more than 200 such schools were needed.

(b) Why they have not sanctioned the opening of 32 schools in the Poona District, asked for by the Poona District Local Board on voluntary basis.

The Honourable Mr. B. V. JADHAV : Information is being collected.

## SUSPENDED AND DISQUALIFIED DISTRICT PLEADERS.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state the names of the District Pleaders according to districts whose san dls were either suspended for a period of years or withdrawn permanently under the orders of the High Court of Bombay with reasons for the same, during the last five years.

The Honourable Mr. J. L. RIEU : A statement giving the information is laid on the Council table.\*

## FIREWOOD FOR DOMESTIC PURPOSES.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) Whether they have made any rules or regulations or have passed any departmental orders under section 44 of the Bombay Land Revenue Code regarding the supply of firewood for domestic or other purposes for the several districts of the Bombay Presidency?

(b) If so, what are they?

(c) How is the practice of allowing Thakurs and others cutting firewood in Government forest and selling the same for domestic purposes regulated?

The Honourable Sir CHUNILAL MEHTA : A statement furnishing the required information is placed on the Council table.†

## DELAWAREKHAN'S MASJID.

Mr. N. R. GUNJAL (Poona District): Will Government be pleased to state—

(a) whether they are aware that the lands continued as inam to the monuments at Khed, Taluka Khed, District Poona, which are preserved under the Ancient Monuments Preservation Act and known as Delawarkhan's Masjid and tomb, have been mortgaged by the Inamdar and that the income from the lands is not applied for the purposes of the grant?

(b) If so, do Government propose to take any steps in the matter?

\* Vide Appendix No. 41.

† Vide Appendix No. 42.

The Honourable Sir CHUNILAL MEHTA : (a) The lands continued as inam to the monuments at Khed known as Delawarkhan's Masjid and tomb were mortgaged by Hamida w/o Dadabhai, the mother of the present wahiwatdar Najubhai Dadabhai, in the years 1891 and 1894 to Mahadu Savalaram, the uncle of the present Kbjedar Shankar Kushaba, and by others, viz., Khairubhai Mohiddinbhai, Husen Sagaji and Mahamed Manaji, to the same person in the years 1887 and 1894, but no entry to this effect appears in the Record of Rights. Najubhai pays the judi and renders services to the tomb and masjid. As the land has been mortgaged the income derivable from it is at the disposal of the mortgagee.

(b) The services to the masjid and tomb are being performed by the wahiwatdar Najubhai ; there is no need to take any steps in the matter.

Mr. M. B. POWAR : Have Government received any complaint in the matter from Mr. Najubhai ?

The Honourable Sir CHUNILAL MEHTA : I am afraid I cannot give this information without notice.

MOULVI RAFIUDDIN AHMAD : With regard to (b) may I know whether it is not the business of Government to make enquiries if the inam itself disappears and only a hired person is used or asked to perform the services in connection with the mosque to which the inam is given ?

The Honourable Sir CHUNILAL MEHTA : If there is any complaint to be made in this connection, Government ought to have received those complaints. Without receiving any complaints, I do not see how they can take action of themselves.

MOULVI RAFIUDDIN AHMAD : I wanted to ask the policy of Government. Here you say that the services to the masjid and tomb are being performed by the wahiwatdar Najubhai, and there is no need to take any steps in the matter. With regard to these inam lands which have altogether disappeared from the real inamdars, what is the policy of Government ?

The Honourable Sir CHUNILAL MEHTA : We have not received any complaints, and Government have not laid down any definite policy.

#### HEGGERI TANK AT NAVALUR.

Mr. V. N. JOG (Dharwar District) : Will Government be pleased to state—

(a) whether they are aware that the irrigators below the Heggeri tank at Navalur have been complaining of insufficient supply of water for irrigation for a long time ;

(b) whether it is a fact that the Heggeri tank at Navalur has not had sufficient water for irrigation for a long time ;

(c) whether they are aware that the ryots of Navalur have been asking for feeder channels to the tank ;

(d) whether they intend to construct such feeder channels ;

(e) what is

(f) the total consolidated assessment levied on such lands per acre below the tank.

- (ii) the total assessment on all such lands,
- (iii) the land revenue as such per acre,
- (iv) the water rate per acre?

The Honourable Mr. COWASJI JEHangIR : The information has been called for.

#### BUNDING SYSTEM IN NAVALGUND TALUKA, DHARWAR DISTRICT.

Rao Bahadur S. T. KAMBLI (Dharwar District) : Will Government be pleased to state—

- (a) the average annual rainfall in the Navalgund Taluka of the Dharwar District in each of the last ten years ending with April 1925 ;
- (b) whether there is a bunding system introduced or followed in that taluka in recent years ;
- (c) if not, whether Government contemplate a bunding scheme for this taluka ?
- (d) if so, when ;
- (e) whether the Collector, the Deputy Director of Agriculture and the Director of Agriculture have been consulted by Government in this connection at any time within the last five years ?

The Honourable Sir CHUNILAL MEHTA : (a) The annual total rainfall at Navalgund during each of the last ten years, ending April 1925, was as follows :—

1915-16 .. .. .	35.77 inches.
1916-17 .. .. .	41.13 "
1917-18 .. .. .	34.10 "
1918-19 .. .. .	16.79 "
1919-20 .. .. .	32.20 "
1920-21 .. .. .	29.96 "
1921-22 .. .. .	19.70 "
1922-23 .. .. .	18.19 "
1923-24 .. .. .	20.01 "
1924-25 .. .. .	17.52 "

Average .. 26.54 "

(b) No special bunding system has been introduced during the last few years. Bunding is already done by the people to a limited extent in the taluka.

(c) and (d) The special bunding officer for preparing schemes of bunding for the Southern Division was originally appointed in 1922 and has been in great demand since. It has been necessary consequently to concentrate his work, and hitherto it has been most largely undertaken in the Athni Taluka of Belgaum, the Gadag Taluka of Dharwar and the Bagalkot and Sindgi Talukas of Bijapur. Government are prepared to allow him to work in the Navalgund Taluka as soon as he is available, but he is at present wanted in many centres.

(e) The whole question of bunding in the Southern Division has been under very close discussion and experiment by the Agricultural Department since 1922. No special inquiries have been made in Navalgund.

## CATTLE BREEDING FARM AT BANKAPUR.

Rao Bahadur S. T. KAMBLI (Dharwar District): Will Government be pleased to state—

(a) what is the annual expenditure incurred over the maintenance of the cattle breeding farm at Bankapur for each of the last five years ending with March 31st, 1925;

(b) how many stud or breeding bulls are generally kept there;

(c) how many breeding bulls were distributed by the farm in each of the said five years?

Honourable Mr. A. M. K. DEHLAVI: (a) The annual expenditure has been as follows:—

	Rs.
1920-21	19,066
1921-22	26,481
1922-23	12,855
1923-24	17,060
1924-25	15,400

The expenditure incurred in the first two years includes expenditure on the purchase of cattle. All these figures include a large amount of capital expenditure which is now nearly completed.

(b) The farm has three breeding bulls in use, 17 young stock bulls and 13 bull calves are growing calves.

(c) The number of breeding bulls distributed has been as follows:—

1920-21	} Nil, as the farm was only started in 1920.	
1921-22		
1922-23		7
1923-24		3
1924-25		2

The bulls produced in the first year were not considered good enough to go out as bulls and were converted into bullocks. The Deputy Director of Agriculture for Animal Breeding expects to be able to put out 25 bulls next year with an increase of five per year up to a maximum of 40 per year.

## GRANT OF STRIP LAND IN COASTAL VILLAGES.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) whether the Commissioner, Southern Division, has issued an official order that 'strip land' round about cultivation in the coastal villages should be very sparingly granted to the cultivators;

(b) if so, will they be pleased to place it on the Council table;

(c) what were the reasons which prompted the Commissioner to pass such an order which affects the privilege rules regarding the grant of strip land;

(d) whether they were informed of his action by the Commissioner before he issued the order;

(e) whether they approved of his action; if so, whether it was done



The Honourable Mr. A. M. K. DEHLAVI: (a) No such order has been issued.

(b), (c), (d) and (e) Do not arise.

Mr. M. D. KARKI: May I know whether it is a fact that 'strip land' round about cultivation in the coastal villages is not generally granted to the cultivators according to the privilege rules?

The Honourable Mr. A. M. K. DEHLAVI: That is a separate question. If the honourable member gives notice, I shall find out whether it is a fact that the land is granted or not.

#### RAILWAY WORKSHOP AT HUBLI.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) whether it is a fact that the railway workshop at Hubli, which is the only workshop in the Karnatak, is going to be removed to Madras;

(b) if so, whether they are aware that such a removal would give a death blow to the rapidly improving and developing town of Hubli, an important commercial centre of the Karnatak, and would consequently give rise to a great deal of discontent and irritation throughout the Karnatak?

The Honourable Sir CHUNILAL MEHTA: (a) No.

(b) Does not arise.

#### AFFORESTATION OF ARABLE LANDS IN KANARA.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the reasons why arable lands situated in the villages of Bastigalmigate, Kop, etc., in Kanara as detailed in the schedule to the Notification No. S-35-9-13673 published at page 2182 in Part I of the *Bombay Government Gazette*, 1925, have been declared as Reserved Forest;

(b) whether they were ever private holdings;

(c) if so, whether they were relinquished to or forfeited by Government;

(d) if so, when and why;

(e) whether they are intended to be used for grazing area, minor forest or closed area for regenerating forest?

The Honourable Mr. A. M. K. DEHLAVI: (a) The lands mentioned in the Notification are not yet finally declared as Reserved Forest. The notification referred to is only a preliminary one under section 4 of the Indian Forest Act.

The survey numbers mentioned in the notification are situated in the midst of Reserved Forest and there is no demand for them for purposes of cultivation. Most of the lands have been Government waste since 1886-87. Whether the lands will be finally afforested or not depends

on the result of the enquiries to be held by the Forest Settlement Officer in the course of his proceedings

(b), (c) and (d) Bastigalnigate Survey No. 5 was a private holding till 1891 when it was relinquished to Government.

Kop Survey Nos. 51, 52, 53, 54, 163, 182, 193 and 194 were private holdings till 1886 when they were relinquished to Government.

Survey Nos. 166 and 507 have been Government waste since the original settlement.

Survey No. 57 was a private holding till 1911-12 when it was relinquished to Government.

Survey No. 183 was a private holding till 1891 when it was relinquished to Government. Kurandur Survey No. 11 was a private holding till 1895 when it was relinquished to Government.

The reasons for relinquishment cannot be ascertained.

(e) This will be decided by the Forest Settlement Officer in the course of his enquiries.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the reasons why arable lands in Begodi and other villages in Kanara as detailed in the schedule to Notification No. S 35/9-13675 published at page 2183 of *Bombay Government Gazette*, Part I, dated 20th August 1925, have been declared as Reserved Forest;

(b) whether they were the holdings of private individuals at any time in the past;

(c) if so, whether they were relinquished to or forfeited by them;

(d) if so, when and why;

(e) whether they are intended for being used as grazing area, minor forest or closed area for regeneration of forest?

The Honourable Mr. A. M. K. DEHLAVI: (a) The lands mentioned in the Notification are not yet finally notified as Forest. The Notification referred to is only a preliminary one under section 4 of the Indian Forest Act.

The Survey numbers mentioned in the Notification are situated in the midst of Reserved Forest and there is no demand for them. Most of these lands have been Government waste since 1886-87. Whether these lands will be finally afforested or not depends on the result of the enquiries to be held by the Forest Settlement Officer in the course of his proceedings.

(b), (c) and (d) Begode Survey Nos. 2, 9 and 13 were private holdings till 1910-11 when they were relinquished to Government.

Nagarbastikeri Survey Nos. 341, 342 and 378 have been Government waste since the original settlement.

Survey Nos. 350 and 353 were private holdings till 1887 when they were relinquished to Government.

Mahima Survey No. 96 has been Government waste since the original settlement. The reasons for relinquishment cannot be ascertained.

(e) This will be decided by the Forest Settlement Officer in the course of his enquiries.

Mr. M. D. KARKI (Kanara District): Will Government be pleased to state—

(a) the reasons which led them to convert arable land in the village of Mahime in Kanara as detailed in their Notification No. S-35/9/13753 published on page 2183 of the *Bombay Government Gazette*, part I, of 1925, into Reserved Forest;

(b) whether they ever belonged to private individuals;

(c) if so, when and why they ceased to belong to them?

The Honourable Mr. A. M. K. DEHLAVI: (a) The lands mentioned in the Notification are not yet finally notified as Forest. The notification referred to is only a preliminary one under section 4 of the Indian Forest Act.

The survey numbers mentioned in the Notification are situated in the midst of Reserved Forest and there is no demand for them for purposes of cultivation. Most of these lands have been Government waste since 1886-87. Whether these lands will be finally afforested or not depends on the result of the enquiries to be held by the Forest Settlement Officer in the course of his proceedings.

(b) Survey Nos. 32, 33 and 34 have been Government waste lands since the original settlement;

(c) Does not arise.

#### EDUCATIONAL GRANTS.

Mr. HOOSENBHOY A. LALLJEE (Bombay City): Will Government be pleased to put on the table a statement showing the amount of grants recurring and non-recurring—given for the primary and secondary education of the Anglo-Indians, Mahomedans and depressed classes, respectively, as compared to the total grant given for primary and secondary education during the years 1921-22 to 1923-24?

The Honourable Mr. B. V. JADHAV: The following figures show the expenditure, direct and indirect, on grants to European schools, which approximately equals the cost to Government of the education of Anglo-Indians and Europeans as compared to the total expenditure on grants for primary and secondary education:—

Year.	Total grant for primary education.	Total grant for secondary education.	Total grant for both primary and secondary education of Indians	Total grant to schools for Anglo-Indians and Europeans.
	Rs.	Rs.	Rs.	Rs.
1921-22	1,18,57,163	14,22,434	1,33,09,597	4,62,397
1922-23	1,22,60,256	13,02,347	1,35,62,603	4,46,248
1923-24	1,37,24,303	13,14,948	1,50,39,251	5,34,965

No separate accounts are maintained for purely Mahomedan schools as well as a few special primary schools for low castes. It is, therefore, not possible to supply the full information asked for by the honourable member for Bombay City.

**MOULVI RAFIUDDIN AHMAD :** With regard to this question, the answer is that no separate accounts are maintained for purely Mahomedan schools as well as a few special primary schools for low castes. Is it a fact that no separate accounts are kept with regard to Urdu schools?

**The Honourable Mr. B. V. JADHAV :** The answer is printed. No separate accounts are maintained for purely Mahomedan schools as well as a few special primary schools for low castes. It is, therefore, not possible to supply the full information asked for by the honourable member for Bombay City.

**MOULVI RAFIUDDIN AHMAD :** I asked the Honourable Minister whether accounts are not kept for primary Urdu schools, which are purely for Mahomedans?

**The Honourable Mr. B. V. JADHAV :** The accounts for Mahomedan schools are mixed up with the general accounts.

**MOULVI RAFIUDDIN AHMAD :** I am asking about Urdu schools.

**The Honourable Mr. B. V. JADHAV :** In certain schools there are Urdu classes.

**MOULVI RAFIUDDIN AHMAD :** I am not talking about those classes. It is well known that accounts of Mahomedan Urdu schools are kept separately. I want to know whether he is aware of it.

**The Honourable Mr. B. V. JADHAV :** The reply is there. I cannot add anything to that.

#### SUB-REGISTRARS.

**Khan Saheb A. M. MANSURI (Ahmedabad and Surat Cities) :** Will Government be pleased to state—

- (a) the total number of sub-registrars in the service;
- (b) the number of Muhammadans amongst them, the salary with which they began service, the period of their service and the present salary they draw;
- (c) the number of Hindu and Muhammadan sub-registrars who are serving in their native places;
- (d) the number of sub-registrars who have got extraordinary promotions, stating for what special work these people got it;
- (e) the number of Hindus and Muhammadans who got the promotion mentioned in column (d);
- (f) the strength of the clerical staff in the Registration Department and the number of Muhammadans amongst them?

**The Honourable Mr. A. M. K. DEHLAVI :** (a) The total number of sub-registrars in the service (including the sub-registrar of Aden, two Sub-Registrars of Bombay, five Inspectors and Head Assistant to Inspectors General of Registration) is 279.

(b) The number of Muhammadans among them is 42.

No.	Starting pay as Sub-Registrar in the Registration Department.	Period of service on 1st January 1926.	Present pay, i.e., on 1st January 1926.
	Rs.	Y. M.	Rs.
<i>Gujarat Division (10)</i>			
1	40	20 11	115
2	40	17 8	120
3	40	18 10	100
4	40	15 6	80
5	40	16 6	80
6	40	8 11	80
7	40	8 5	80
8	40	24 8	74
9	71	1 9	74
10	40	6 11	71

*Marathi Division (9)*

1	40	20 10	120
2	40	20 1	120
3	40	27 5	120
4	40	21 0	95
5	40	15 6	80
6	40	14 8	80
7	40	10 4	80
8	40	5 7	71
9	50	1 9	53

*Kanarese Division (8)*

1	40	18 5	120
2	40	18 7	110
3	40	21 3	100
4	40	12 8	95
5	40	33 8	80
6	40	9 6	74
7	40	5 10	71
8	50	1 9	53

*Sind Division (14)*

1	50	27 3	120
2	40	32 5	120
3	40	31 8	120

No		Statistical Division Sub-Registration in the Registration Department	Period of 1st on 1st January 1925			Percent pay on on 1st January 1925
		Rs.	Y.	M		Rs.
		<i>Sub-Division (H)</i>				
4	..	25	25	3		110
5	..	25	27	3		110
6	..	10	8	7		100
7	..	30	25	2		85
8	..	10	19	0		80
9	..	10	22	1		80
10	..	10	18	8		80
11	..	10	18	8		80
12	..	10	18	7		80
13	..	10	15	11		80
14	..	50	2	10		56

*Adm.*

1	..	110	1	7	115
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					Rs.
(c) Hindus	..				22
Muhammadans	..				3

(d) and (e) No extraordinary promotion has been given either to Hindus or Muhammadans.

(f) The strength of the clerical staff in the Registration Department is 235 and the number of Muhammadans amongst them is 27.

#### SITTING ACCOMMODATION FOR RAILWAY PASSENGERS AT AHMEDABAD.

Khan Sahab A. M. MANSURI (Ahmedabad and Surat Cities): Will Government be pleased to state whether they are aware that there is no bench or other accommodation for sitting for first, second or third class passengers at Ahmedabad Railway Station on the metre-gauge section?

The Honourable Sir CHUNILAL MEHTA: There are 6 benches on the metre-gauge platforms at Ahmedabad and the seating capacity of each is 8 persons.

#### TRANSFER OF NAZIRS.

Mr. W. S. MUKADAM (Panch Mahals District): Will Government be pleased to state—

(a) whether two Nazirs of the Godhra and Dohad Sub-Judge's Courts who were on the list of Ahmedabad Judicial district were transferred to the list of the Panch Mahals district;

(b) whether any grade promotion was due to them when their names were transferred to the Panch Mahals list;

(c) whether this transfer caused them any loss in grade, seniority or promotion;

(d) whether any other Nazirs of the Kaira district got any promotion in grade by this transfer;

(e) whether the two Nazirs affected adversely by these orders appealed to the higher authorities;

(f) if so, whether Government have taken any action in the matter, if not, why not?

The Honourable Mr. J. L. RIEU: (a) Yes.

(b) No.

(c) No.

(d) No

(e) The Nazirs appealed to the High Court, who declined to interfere.

(f) The question does not arise.

#### CRIMES IN SIND.

MUKHI JETHANAND PRITAMDAS (Eastern Sind): Will Government be pleased to state—

(a) whether their attention has been drawn to the frequent occurrence of thefts of property, cattle lifting and dacoities in the various parts of Sind;

(b) whether they are aware that there is a general consensus of opinion in Sind that these thefts and dacoities are due to the inadequacy of the police arrangements;

(c) whether they are aware that the newspaper press of the province has drawn repeated attention to this;

(d) whether they propose to take any action in the matter?

The Honourable Mr. J. L. RIEU: (a), (b), (c), (d) Although the reported figures do not in themselves lend support to the view that offences of the classes referred to have been unusually prevalent of late, there appears reason to believe that this may be explained by the fact that the police reductions carried out in 1922 have diminished the facilities for registering complaints and that consequently a larger proportion of crime goes unreported. Proposals for the reorganization of the Sind Police in the mofussil are under consideration.

Mr. NOOR MAHOMED: Is it not a fact that more policemen have been drafted into Karachi at the expense of the mofussil areas of Sind?

The Honourable Mr. J. L. RIEU: I am quite prepared to admit that Karachi is better policed in comparison with the mofussil areas of Sind. But there is no question of any police having been drafted from the rural areas into Karachi.

Mr. NOOR MAHOMED: Is it not a fact that the money for the police in the mofussil in Sind was cut down, and the saving thus effected was utilised for Karachi?

The Honourable Mr. J. L. RIEU: It is not a fact.

Mr. M. S. KHUERO: Is it a fact that the Honourable the Home Member when he was Commissioner in Sind submitted to Government the proposal for sanctioning the scheme for increasing the strength of the police in the rural areas?

The Honourable Mr. J. L. RIEU: Does the honourable member refer me to the rural police?

Mr. M. S. KHUERO: Yes.

The Honourable Mr. J. L. RIEU: Then it is a fact.

Mr. M. S. KHUERO: How long will Government take to sanction that scheme?

The Honourable Mr. J. L. RIEU: I cannot say.

Mr. D. B. ADWANI: The honourable member has referred to the reductions in 1922. Is it not a fact that the reductions instead of taking place in the higher staff were made in the lower staff and in the constables staff?

The Honourable Mr. J. L. RIEU: The reductions were made throughout the whole Police Department, and proportionate reduction were made in the cost of the higher staff. A large number of police stations were abolished, and that involved a corresponding reduction in the higher staff.

Mr. D. B. ADWANI: Was there any reduction of the inspectors of Police and other such staff which is not required at all?

The Honourable Mr. J. L. RIEU: There was no reduction in the number of districts. It is impossible to expect any reduction in such staff unless there is a reduction in the number of districts.

Mr. D. B. ADWANI: Was there any reduction of the number of Deputy Superintendents of Police?

The Honourable Mr. J. L. RIEU: With regard to Deputy Superintendents, ordinarily there is one for each district and so long as the number of districts is not reduced, it is impossible to reduce the number of Deputy Superintendents.

Mr. P. G. JOSHI: Am I to understand that the people do not go to the police station to register complaints?

The Honourable Mr. J. L. RIEU: That may be so. That is what we presume to be the case.

Mr. P. G. JOSHI: You have no definite information. Is it a mere presumption?

The Honourable Mr. J. L. RIEU: I cannot say. There can only be a presumption in such a case. There is only negative evidence of the fact.

Mr. M. S. KHUERO: Is the honourable member aware that the personal assistant to the Deputy Inspector General of Police in Sind has lately been appointed from the rank of D. S. Ps.?



The Honourable Mr. J. L. RIEU: The Deputy Inspector-General of Police for Sind has a personal assistant who is at the head of the Sind C.I.D.

PROPOSED CONVERSION OF LOCAL BOARD MAHOMEDAN MADRESSAH  
INTO A GOVERNMENT SCHOOL.

MUKHI JETHANAND PRITAMDAS (Eastern Sind): (a) Will Government be pleased to state if it is a fact that the present local board Mahomedan Madressah transferred to Mirpurkhas from Pithoro is being converted into a Government School with the denominational and sectarian conditions originally imposed by the District Local Board?

(b) If so, will the school in that case be a general institution for all communities alike, or a sectarian one only?

(c) Are there other Government High Schools at Karachi, Hyderabad, Larkana and Shikarpur of a similar nature?

(d) Is it a fact that the Mirpurkhas Municipality has passed a resolution protesting against such a proposal? Have they sent the resolution to Government? If so, what decision has been arrived at?

The Honourable Mr. B. V. JADHAV: (a) No.

(b) and (c) The school is not a sectarian one, but it is open to students of all communities. In view of the backwardness of Mahomedans in Sind, 55 per cent. of places in this school have been reserved for Mahomedan boys on the basis of the Mahomedan population of the district: similar percentages to regulate the admission of Mahomedan boys in other Government Secondary Schools in Sind have been laid down. In the case of the four schools specified the percentages for Mahomedans are as follows:—

Karachi	..	..	10
Hyderabad	..	..	50
Larkana	..	..	50
Shikarpur	..	..	50

(d) The answer to the first portion of the question is in the affirmative. As regards the latter portion, Government received from the President of the Municipality a copy of a letter addressed by him to the Director of Public Instruction communicating the relevant part of the resolution passed by the Municipality. Government have not taken any action in the matter. Efforts were made by the Educational Inspector in Sind to convince the Municipal President that as the District Local Board had relaxed its original conditions before the school was converted into a Government school, it could not be regarded as a sectarian institution but these efforts have failed.

Dr. R. P. PARANJPYE: With regard to (b) and (c) will the Honourable Minister say whether the whole of this percentage of reserved seats for Muhammadans has been actually taken advantage of by Muhammadans?

The Honourable Mr. B. V. JADHAV: If notice is given I shall find out.

Mr. NOOR MOHAMED: Is it not a fact that the resolution of Government regarding reservation of seats has not been given effect to by the Education Department?

The Honourable Mr. B. V. JADHAV : I am not aware of this.

Mr. NOOR MOHAMED : Is it not a fact that the Education Department granted 50 per cent. reserved seats to Muhammadans after the lapse of 7 years ?

The Honourable Mr. B. V. JADHAV : I am not aware of it.

Mr. NOOR MOHAMED : Am I to understand that Government will make inquiries in the matter ?

The Honourable Mr. B. V. JADHAV : If notice of the question is given.

Dr. R. P. PARANJPE : Does the resolution of Government apply to new admissions or to the whole number in the institution ?

The Honourable Mr. B. V. JADHAV : They apply to new admissions.

Mr. D. B. ADWANI : (inaudible)

The Honourable Mr. B. V. JADHAV : Government is aware that these high schools are maintained for the whole district and not for the district headquarter towns alone.

Mr. B. G. PAHALAJANI : Has the Honourable Minister received reports that these reserved seats are not being usually filled up and remain vacant unnecessarily ?

The Honourable Mr. B. V. JADHAV : I am not aware.

Mr. B. G. PAHALAJANI : The question is whether he has received such a report or not and not whether these seats remain vacant ?

The Honourable Mr. B. V. JADHAV : I do not think I have received any such reports.

Mr. NOOR MOHAMED : Is it not a fact that Muhammadans are not being admitted in spite of the Government resolution ?

The Honourable Mr. B. V. JADHAV : I do not think it is a fact.

Mr. P. G. JOSHI : May I know whether Government will consider the advisability of keeping these schools exclusively for Muhammadans ?

The Honourable Mr. B. V. JADHAV : I do not think Government can pass such an order.

Khan Saheb A. M. MANSURI : May I know whether this proportion that is fixed is taken into consideration by head masters when admitting students ?

The Honourable Mr. B. V. JADHAV : I think the head masters generally observe the rules and Government have no reason to suspect that the rules are not being followed.

#### DREDGER 'KALU' AND BACK BAY RECLAMATION.

Mr. K. F. NARIMAN (Bombay City, South) : Will Government be pleased to state—

(a) whether it is a fact that the dredger 'Kalu' is not working as satisfactorily as was expected ;

(b) whether it is a fact that the dredging work at the Back Bay Reclamation is not carried on as expeditiously and satisfactorily as was expected;

(c) whether it is a fact that on account of the unsatisfactory dredging work turned out by the 'Kalu', it is contemplated to adopt other means of reclaiming at the Back Bay Scheme;

(d) whether it is a fact that it is contemplated to effect the reclamation by means of filling in with metal and stones conveyed from Kandivli and other quarries;

(e) whether any separate contract has been given or contemplated for this method of reclamation for conveying stone and metal;

(f) what is the total expenditure incurred in dredging at the Back Bay Reclamation since its commencement up to 1st October 1925;

(g) what is the total area of land reclaimed during that period;

(h) if the dredging in future does not improve and continues at the same rate as hitherto, how many years it will take to reclaim the whole area in the Back Bay Scheme;

(i) whether it is a fact that the present rate of reclamation is much slower than was expected or calculated;

(j) what is the average expense per month for the working of the dredger 'Kalu' including staff, materials, coal, repairs, etc.?

The Honourable Mr. COWASJI JEHangIR: (a), (b) and (i) Yes.

(c), (d) and (e) The advantages of combined dry filling (with earth, not stone and metal) with wet filling (by dredging) are under examination; but Government have approved, as an experimental measure, of the proposal to work two trains a day of earth from Kandivli for the year 1925-26. This work is carried out on piece work contracts.

(f) The expenditure on dredging up to 1st October 1925 is Rs. 16,70,256.

(g) The honourable member is referred to the reply given to clause (a) of his question printed at page 970 of volume XV, part XIII, of the official report of the Bombay Legislative Council debates. No further progress had been made up to 1st October 1925 as the working season had just commenced.

(h) The honourable member is referred to the second *ad interim* report of the Special Advisory Committee dated the 21st January 1926.

(j) The average monthly expenditure on working the dredger "Kalu" during the last season was Rs. 20,958.

Mr. K. F. NARIMAN: With regard to (c) and (d) when was the fact discovered that the dredger "Kalu" was not working satisfactorily?

The Honourable Mr. COWASJI JEHangIR: In the first year of the working of the dredger "Kalu".

Mr. K. F. NARIMAN: Was it in 1923-21?

The Honourable Mr. COWASJI JEHangIR: No.

Mr. K. F. NARIMAN: Was it in 1922-23?

The Honourable Mr. COWASJI JEHangIR: No.

Mr. K. F. NARIMAN: Then may I know in what year?

The Honourable Mr. COWASJI JEHangIR: Last year.

Mr. K. F. NARIMAN: Is it not a fact that this was disclosed before the report of the Advisory Committee which states that the dredger "Kalu" was not working satisfactorily?

The Honourable Mr. COWASJI JEHangIR: It was not working at all in 1923-24.

Mr. K. F. NARIMAN: The attention of the honourable member is invited to the minority report that the dredgers were not working satisfactorily. They say: "The inefficiency of the dredgers was known during the working season of 1923-24 when the actual output was considerably less..."

The Honourable Mr. COWASJI JEHangIR: I am afraid the honourable member has got hold of the wrong end of the stick. This has reference to the dredger "Sir George Lloyd". "Kalu" was working for the first time during the last working season.

Mr. K. F. NARIMAN: The report says "dredgers". There are only two dredgers.

The Honourable Mr. COWASJI JEHangIR: I cannot be responsible for the Minority Report.

Mr. K. F. NARIMAN: Is it not a fact that this dredger or a similar dredger like the "Kalu" was employed by the Port Trust in the Mazagaon Sewri reclamation?

The Honourable Mr. COWASJI JEHangIR: "Kalu" itself was employed there.

Mr. K. F. NARIMAN: Did Government make inquiries from the Port Trust about the working of this dredger before it was purchased?

The Honourable Mr. COWASJI JEHangIR: As the honourable member knows it is all fairly ancient history.

Mr. K. F. NARIMAN: Is it a fact that this "Kalu" was recently employed in a reclamation scheme by the Port Trust a few years ago?

The Honourable Mr. COWASJI JEHangIR: I have answered in the affirmative.

Mr. K. F. NARIMAN: Is it not a fact that the dredger "Kalu" was employed by the Port Trust two years ago?

The Honourable Mr. COWASJI JEHangIR: I have answered that in the negative and I will refer my honourable friend to the report again. The information that he is asking will be found in that report.

Mr. K. F. NARIMAN: Is it not a fact that the Port Trust found it to be very unsatisfactory and that it did not give the output it was expected to give?

The Honourable Mr. COWASJI JEHangIR: I must refer my honourable friend to the report and I trust if he reads the report he will get the information that he wants.

Mr. K. F. NARIMAN: Why did Government not consult the Port Trust as to the actual experience of the working of this dredger.

The Honourable Mr. COWASJI JEHangIR : We had no actual experience as to the working of the dredger at that time. I can trace no information on that point.

The Honourable the PRESIDENT : The honourable member wants to know whether Government made enquiries of the Port Trust before purchasing the dredger Kalu

The Honourable Mr. COWASJI JEHangIR : We have no exact information on that point just now

Rao Sahab D. P. DESAI : Did you enquire into the working of the Kalu so long as it was in the charge of the Bombay Port Trust and did you enquire of the Port Trust whether the dredger Kalu was working satisfactorily or not ?

The Honourable Mr. COWASJI JEHangIR : I personally did not enquire and I personally did not know at that time that the dredger Kalu was not working satisfactorily.

Rao Sahab D. P. DESAI : Then why was the Kalu purchased without making proper enquiries ?

The Honourable Mr. COWASJI JEHangIR : The Kalu was purchased as is stated in the report on an examination of the officers of the Government of India.

Mr. P. G. JOSHI : May I know when the dredger Kalu was purchased ?

The Honourable Mr. COWASJI JEHangIR : Government purchased it in 1920 or 1921, but I am not quite certain about it.

Mr. P. G. JOSHI : That means that after the purchase of the dredger it was not working for 4 years

The Honourable Mr. COWASJI JEHangIR : Well, it had to be repaired.

Mr. P. G. JOSHI : Did it take four years for repairs ?

The Honourable Mr. COWASJI JEHangIR : I will ask for notice. I will give the information to the honourable member if he gives notice of the question.

Mr. D. B. ADWANI : Is it true that bonus was granted on the purchase of this dredger by Government ?

The Honourable Mr. COWASJI JEHangIR : It is a fact that bonus has been granted.

Mr. G. I. PATEL : Sir, question (f) is, " what is the total expenditure incurred in dredging at the Back Bay Reclamation since its commencement up to 1st October 1925 " ; and the reply to that is that " the expenditure on dredging up to 1st October 1925 is Rs 16,70,256 ". Now my supplementary question is whether the actual monthly expenditure that is shown here is on the dredger Kalu or on both the dredgers.

The Honourable Mr. COWASJI JEHangIR : That is the average monthly expenditure on both the dredgers.

Mr. P. G. JOSHI : I want to know when dry filling was given on contract for the first time.

The Honourable Mr. COWASJI JEHangIR : I will ask for notice of that question.

Sir VASANTRAO A. DABHOLKAR : In reply to (f) it is stated that the expenditure on dredging up to 1st October 1925 is Rs. 16,70,356 and it has now been admitted that that is the expenditure on the working of both the dredgers. Will the honourable member state separately how much was spent on the working of the dredger Sir George Lloyd and how much on the dredger Kalu.

The Honourable Mr. COWASJI JEHangIR : I want notice of that question.

Mr. K. F. NARIMAN : May I now, Sir, ask the question as to the dredger Sir George Lloyd ?

The Honourable the PRESIDENT : You can certainly ask the question as to the dredger Sir George Lloyd, if it arises out of the reply to the question, which is, " what is the total expenditure incurred in dredging at the Back Bay Reclamation since its commencement up to 1st October 1925 ". The reply to that is that the expenditure on dredging up to 1st October 1925 is Rs. 16,70,256. If any supplementary question arises out of that question and that reply, I will certainly allow the honourable member to put it.

Mr. K. F. NARIMAN : Is it not a fact that the first *ad interim* report recommended the continuation of the work of the reclamation.

The Honourable Mr. COWASJI JEHangIR : My honourable friend knows that as well as I do.

Mr. K. F. NARIMAN : The *ad interim* report refers to the fact that the dredger Sir George Lloyd was not working satisfactorily and that that fact was not disclosed to the Advisory Committee. That fact was not brought to the notice of the members of the Advisory Committee and the Committee was made to report in February 1925 without having that fact before them. I want to know why was that fact not brought to the notice of the Advisory Committee ?

The Honourable the PRESIDENT : Will the honourable member put a direct question.

Mr. K. F. NARIMAN : I will put a direct question. The fact that the dredger Sir George Lloyd was not satisfactorily working was discovered in the working season of 1924-25. Is it not a fact that it was discovered that the dredger Sir George Lloyd was not working satisfactorily in the working season of 1923 ?

The Honourable Mr. COWASJI JEHangIR : The results were known in July and it was not an established fact that it was not working satisfactorily until July of 1925.

Mr. B. R. DALVI : May I know why this dredger was called Kalu ?

The Honourable Mr. COWASJI JEHangIR : I will refer my honourable friend to the Port Trust. If he will ask a question, I will answer it.

The Honourable the PRESIDENT: Order, order. I will ask the honourable member Mr. Nariman to let his next question stand over for the present as there are only three minutes more. In the meantime those questions, which can be answered, without supplementary questions, may be put to-day.

Mr. N. E. NAVLE (Ahmednagar District): Will Government be pleased to give the number of sales and mortgages of agricultural lands made during the year 1924 in the Ahmednagar District?

The Honourable Sir CHUNILAL MEHTA: The number of sales and mortgages is as follows—

Number of registered		Number of Unregistered	
Sales.	Mortgages.	Sales.	Mortgages.
7,030	4,382	303	178

Mr. N. E. NAVLE: May I know whether the figure given includes any watan lands?

The Honourable Sir CHUNILAL MEHTA: I am unable to answer that question without notice.

Mr. S. S. DEV: Do Government contemplate to institute an enquiry as to why in a single year in the Nagar district, there have been so many mortgages and so many lands have changed hands.

The Honourable Sir CHUNILAL MEHTA: I am given to understand that this is not an extraordinary figure, looking to the size and population of the villages and that in various districts transactions on a much larger scale take place.

#### DEPRESSED CLASS SCHOOL SUPERVISORS.

Mr. R. S. NEKALJAY: Will Government be pleased to state why school supervisors are not selected for depressed class schools from amongst depressed class teachers?

The Honourable Mr. B. V. JADHAV: Enquiries are being made.

#### GRANTS TO MEDICAL INSTITUTIONS.

Mr. D. N. PATEL (Kaira District): Will Government be pleased to state—

(a) whether they intend to revise Government grants to medical institutions; and

(b) if so, when are the revised grants likely to come into operation?

The Honourable Mr. B. V. JADHAV: (a) Yes. The orders on the subject are in the press.

(b) The revised grants will come into effect from the current financial year.

Rao Bahadur S. T. KAMBLI: What is the proportion of the grants which will be made?

The Honourable Mr. B. V. JADHAV: If the honourable member will give me notice, I will find it out. The orders will be published very soon and placed on the Council table.

The Honourable Mr. B. V. JADHAV: Sir, I now move a demand of Rs. 66,000 for Scientific Department. This department, Sir, consists of two divisions—Museum and Donation to Scientific Societies and Institutes. There are three museums; one is the Prince of Wales Museum, another is the museum at Bikaner and the third is at Secunderabad. In all Rs. 61,000 is wanted for the maintenance of these museums and the sum of Rs. 5,000 is wanted by contribution to all various scientific societies. So, the total demand on this head is Rs. 66,000.

Question put and carried.

The Honourable Mr. J. L. RIEDEL: Mr. President, I now move a demand for a grant of Rs. 6,86,000 under Education. Revenue.

Question proposed.

Mr. K. F. NARIMAN: Sir, I beg to move that the total of Rs. 6,86,000 be reduced to Rs. 6,70,000. Now, Sir, at the last budget session I moved a similar reduction, not with a view that the subject of education may not be applicable to a particular community, but I moved it as a sort of protest against the discrimination that is sought to be made even in the Education Department, which is a non-biased subject. I stated then, Sir, that whereas we can trust a foreign Home Minister in regard to one of the most important departments of the Government, the Education is concerned, such as the Home Department, why cannot an Indian Minister of Education be trusted with the education of Europeans? That is the only reason, Sir, why I move this reduction. I do not wish that any amount should be reduced from the education of any community, be they European or Indian. But I want to do it as a sort of protest. Under the constitution, Education is made a transferred subject entirely in the hands of the Education Minister. Because the Minister happens to be an Indian gentleman, although he can be trusted with even higher departments such as Medical, Arts, so far as Indians are concerned, yet he cannot be trusted to deal with the education of European children, the children of soldiers or of the higher classes! Why is that discrimination? Although a protest was made before, nothing came of it, and I know, Sir, that the reply will be that provision has been made in the Devolution Rules and the local Government has no power in the matter. But the protest I make is with those who are responsible for the framing of these Devolution Rules. With these remarks I formally move the motion and I hope that the whole of this House will, as a sort of protest against the discrimination against the Indian Minister, support it.

Mr. A. MONTGOMERIE: Sir, the honourable member's protest seems to me to be based on an entire misapprehension. He says that this is a question of discrimination against an Indian Minister. It is true, under the Devolution Rules, it is a question of discrimination between a Minister and a Member of Council. But, so far as I am aware, there is nothing in the Devolution Rules or in the Government of India Act or in any other Act which limits the Members of Council to Members of any special nationality. In fact, I see before me two Indian Members of Council and it is merely the fact that they are engaged on the more important subjects—answering the questions which the honourable member



[Mr. A. Montgomerie]

himself considers so important—that they have no time to look over these minor matters such as European education and things of that sort—that is responsible for it being in the charge of a European Member of Council. If the Honourable the General Member, for instance, could spare time from preparing answers to the honourable member's (Mr. Nariman's) questions, I have no doubt that there is no reason, either in the constitution or in practice why this particular branch of a reserved subject should not be in his portfolio.

MOULVI RAFTUDDIN AHMAD : I rise to a point of order. I want to know whether any protest from this House can turn a reserved subject into a transferred subject.

The Honourable the PRESIDENT : The House can represent and communicate their protest to the authorities concerned. On the present occasion the honourable member gives his reasons why he proposes a cut.

Mr. R. G. PRADHAN (Nasik District) : I am afraid, Sir, the Home Secretary has not understood the point in the protest lodged by my honourable friend the member for Bombay city. His point—and that is, I venture to say, a most important point—is : why is European education still maintained as a reserved subject, and why it is not made a transferred subject to be administered by a Minister who is responsible to this House. That is the important point made and which the Home Secretary has, I venture to say, absolutely failed to appreciate. We protest because we say that the whole of education ought to have been and ought to be made a transferred subject. There is absolutely no rhyme or reason why the education of European children should be kept a reserved subject. That obviously implies a sort of distrust in the capacity of Indians to administer the subject of European education as a transferred subject on the principle of responsibility. So, if this point is honestly and clearly understood, I do submit, Sir, there is great force in the protest made. No doubt, the protest will be absolutely unavailing because European education is a reserved subject under the Government of India Act, and until and unless that Act is amended or the rules are amended, the protest will be absolutely unavailing. But those who believe in the absolute necessity for further constitutional advance deem it their duty to take this occasion to make a protest in order that our intentions as regards further constitutional reform should be clearly understood and our aspirations in this matter represented by the Government to the proper authorities. I therefore heartily support the motion moved by the honourable member for Bombay city.

Mr. D. B. ADWANI (Karachi City) : Mr. President, apart from the constitutional point of view, I fail to see why there should be a separate inspector for European schools in the presidency. It would be very convenient from an administrative point of view to do away with this compartmental division. Is it not possible for the educational inspector in Sind to take care of the education of European children in Sind ? Is it not possible for the educational inspectors in other parts of the presidency to take care of European education ? Why should there be a

[Mr. D. B. Adwani]

separate inspector for European schools only? I think this discrimination between the education of Europeans and Indians should not be made. I therefore support the motion.

MOULVI RAFIUDDIN AHMAD (Central Division): Sir, there are two issues before this House. So far as the reservation of this subject is concerned I heartily endorse the opinion of the honourable member Mr. Nariman. I do not think there can be two opinions on this side of this House on the subject.

With regard to the remarks that have been made by the honourable member from Karachi (Mr. D. B. Adwani) I have to express my entire disagreement. There is nothing absurd in the fact that European schools have got a European Inspector. There are Moslem schools which have got Moslem inspectors. So far as this privilege is concerned I hope this House will not interfere. It is in the fitness of things that an European inspectress should inspect a European girls school. I do not think that the House would be justified in putting any restrictions on such inspection. On the other hand, we must make a dignified protest against the distrust of Indian Ministers as not being able to take charge of European education. Indian magistrates were considered to be unfit to try Europeans not long ago. The law has now been amended and this restriction has been removed. Now that the Government have taken up the policy of introducing reforms, they must repose enough confidence in the people of this country. I think this is a racial distinction which goes to embitter feelings and the sooner it is realised by Government the better. I associate myself very heartily with the protest that has been made.

Mr. P. G. JOSHI: I move the closure.

Mr. C. M. SAPTARSHI: I want to say a few words, Sir.

The Honourable the PRESIDENT: Has the honourable member got anything new to say?

Mr. C. M. SAPTARSHI: Yes, Sir.

I heartily endorse the view that has been expressed by my honourable friends the honourable members Mr. Pradhan and Mr. Nariman.

The Honourable the PRESIDENT: That is no new point.

Mr. C. M. SAPTARSHI (Ahmednagar District): Sir, I heartily endorse the constitutional view that has been raised by my honourable friend Mr. Nariman. I wish to point out that the Reforms have been in existence for the last six years. The honourable member the Home Secretary says that because there has not been sufficient time to consider the matter this subject has not been transferred to the charge of Indian members of Government. I believe the honourable members of Government who are Indians will oblige us by saying that there has not been time enough for them to consider this matter and accept the charge of the Department. That would be the best evidence before us. In that case we will very gladly accept their statement. So far as I am concerned I expect the Government not to pursue a policy of mistrust. So many times we have been told that Government are amenable to what this

[Mr. C. M. Saptarshi]

honourable House says. Now a complaint has been made. Why should not the Government now hand over this department to an Indian minister or an Indian member of the Executive Council to say the least ?

The Honourable Sir HENRY LAWRENCE : Mr. President, I would only ask the House to consider that there are other methods of making a dignified protest than cutting out a sum of money under circumstances in which it may prove necessary for Government to restore the grant. I think it has been the proud tradition of this House that Government have never been called upon to restore a grant. Is it advisable to make a fresh departure in a matter of this kind, which must cause much criticism of the action of this House throughout India ? I would sincerely ask this House to consider whether it would not be in consonance with its dignity if it feels deeply on the subject to have the matter discussed in a resolution and have that resolution forwarded to the authorities concerned as a sign of their feeling. But to deal with this matter on a demand for grants would, I respectfully submit, not be in accordance with the traditions of this House or with its reputation for good and sober judgment.

Dr. R. P. PARANJPYE (Bombay University) : Sir, I had no desire to take part in the debate ; but I only want to give an answer to the arguments of the Hon'ble Leader of the House. So far as I know, resolutions on constitutional matters have been disallowed in this House. Consequently this House has got only this opportunity of making a dignified protest with regard to the reserved half of the Government. Therefore, if the Honourable Leader of the House will undertake to communicate this protest of the non-official members of this House to the higher authorities then I hope the desire of this House will have been fulfilled. Because all the avenues have been closed with regard to entering their protest concerning the reserved half of the Government, the House is compelled to take indirect means like this.

The Honourable Sir HENRY LAWRENCE : The honourable member Dr. Paranjpye says that no resolution will be allowed on this matter. I have no reason to suppose that any such resolution would be debarred.

The Honourable the PRESIDENT : It would be admitted if the resolution is properly framed, so far as the President is concerned.

Dr. R. P. PARANJPYE : Would a resolution on the abolition of the commissioners be allowed ?

The Honourable the PRESIDENT : There are two authorities having control over it.

Mr. K. F. NARIMAN (Bombay City, South) : Sir, I am very sorry that when a question of this character is seriously discussed in this House that the Government benches should come forward with their usual threats. I shall be very glad, as the Honourable Leader of the House has stated, if His Excellency the Governor restores this grant. Then it will expose the hypocrisy of this constitution. A sum of nearly 7 lakhs is given because it concerns Europeans. I ask if His Excellency will go out of his way and restore this cut for only Rs. 16,000 out of the total of 7 lakhs. If only he does so I shall be very glad.

[Mr. K. F. Nariman]

As regards the argument of the Honourable the Finance Member I may point out that my object in moving this motion is to enter our protest against the distrust shown to Indians. As regards the point made by the honourable member the Home Secretary, he said that this department has not been handed over to Indian Members for want of time. Now, Sir, when the protest is raised, the Honourable the Home Secretary and other members of Government have replied that they have no time. As a matter of fact this department was never offered to the Indian members, and therefore they could not judge whether they have time or not.

Apart from this incidental injustice that is done to the Indian population by making it a reserved subject, by a strange coincidence in a reply to a question by my honourable friend from Bombay (Mr. Hoosenbhoy A. Lalljee) important information is revealed on this subject only to-day. The reply is significant. The question is :

Will Government be pleased to put on the table a statement showing the amount of grants, recurring and non-recurring, given for the primary and secondary education of the Anglo-Indians, Mahomedans and depressed classes, respectively, as compared to the total grant given for primary and secondary education during the years 1921-22 to 1923-24 ?

I will only trouble the Council with the figures given in reply as regards the year 1923-24. The total grant paid for both primary and secondary education of Indians is Rs. 1,50,39,251 ; and the total grant to schools for Anglo-Indians and Europeans is Rs. 5,31,965. Now, I ask the honourable House to consider the proportion in relation to the population. For two crores of the Indian population the grant works out at 14 annas per head ; and for 30,000 or 40,000 of the Anglo-Indian and European population, it works out to Rs. 20 to Rs. 25 per head. Is that justice ? And that injustice is done, because the department is reserved and is in the hands of the European Member. Therefore, not only as a protest against the injustice done to the Indian members of Government, but also in view of the fact that the distribution is unfair, I am sure the House will assert itself, not minding the threat of the Honourable the Finance Member, who is in the habit of giving such threats, and as a fitting reply to that threat, carry this motion.

The Honourable Mr. J. I. RIEU : Mr. President, I submit that it would be deplorable if this House were to refuse any portion of the grant demanded on the grounds stated. The principal ground, as I understand, is that the grant that has been put forward is for the education of the European and Anglo-Indian communities, which is a reserved subject and therefore under the control of a Member of the Executive Council instead of being placed under the control of a Minister. As the House knows, this question of the allocation of a certain portion of the subject of Education to the Executive Council is a question which has not been settled by this House : it is a matter which has been settled by Parliament. And I submit, therefore, that there would be no justification for this House to decline a grant which a Member of this Government has moved on a ground which in no way comes within the control of this Government.

[Mr. J. L. Rieu]

With regard to the point which has been raised by the honourable member Mr. Nariman, as to the difference in the proportion of expenditure per head devoted to members of the communities coming under the reserved part of Education and to members of the other communities as compared with the corresponding proportion for all other communities, I have not had time to examine the figures, which have only just been quoted to me. Nor do I know where they came from. But I would say this, that as honourable members must be aware the children of the European and Anglo-Indian communities are mainly—almost entirely I may say—educated in secondary schools, and therefore naturally the proportion per head of educational expenditure must be considerably higher in their case than in the case of the large body of the population, the great majority of which is receiving instruction in primary schools. There is a further explanation, which must, I think, be pretty obvious to the members of this House, and that is that in all these primary schools a considerable proportion of the expenditure does not fall on provincial revenues but falls on the revenues of local bodies. Consequently the comparison does not lend itself to the conclusions sought to be drawn therefrom. On these grounds, Sir, I submit that there is no justification whatever for making the proposed cut in the demand for Education (Reserved).

It has just been brought to my notice, Sir, and I would like to bring the fact to the notice of the House, that at one time the Honourable the President himself was in charge of this department, and that supplies a most effective reply to the charge which has been made of discrimination between the European and the Indian Members of Government. (An honourable member: Was it after the Reforms?) No. Even before the Reforms.

Question put: House divided: Ayes, 33; Noes, 44: motion lost.  
*Division No. 5.*

## Ayes.

ADWANI, Mr. D. B.  
BHOPATKAR, Mr. L. B.  
DESAI, Rao Sahab D. P.  
DEV, Mr. S. S.  
DIXIT, Dr. M. K.  
GUNJAL, Mr. N. R.  
JOG, Mr. V. N.  
JOSHI, Mr. P. G.  
KARKI, Mr. M. D.  
KOTHARI, Mr. V. R.  
LALLJEE, Mr. HOOSHINBHAY A.  
MANSURI, Khan Sahab A. M.  
MAVALANKAR, Mr. G. K.  
MEHTA, Dr. M. M.  
MUKADAM, Mr. W. S.  
NABHIVALLA, Mr. H. H.  
NARIMAN, Mr. K. F.

NOOR MAHOMED, Mr.  
PATEL, Mr. A. E.  
PATEL, Mr. D. N.  
PATEL, Mr. G. I.  
POWAR, Mr. M. B.  
PRADHAN, Mr. G. B.  
PRADHAN, Mr. R. G.  
PUNJABHAI THAKERSI, Mr.  
SAHEBA, Mr. H. D.  
SAPTARSHI, Mr. C. M.  
SHIVDASANI, Mr. H. B.  
SOMAN, Mr. R. G.  
SURVE, Mr. V. A.  
SWAMINARAYAN, Mr. J. G.  
THAKOR of Kerwada, the  
VELKAR, Dr. M. B.

*Tellers for the Ayes:* Mr. K. F. NARIMAN and Mr. R. G. PRADHAN.

## Noes.

ABDUL LATIF HAJI HAJRAT KHAN, Mr.  
ABERCROMBIE, Mr. J. R.  
ADDYMAN, Mr. J.  
BEDIKAR, Khan Bahadur I. M.

BEURGEL, Mr. J. M.  
BOLE, Mr. S. K.  
BUNTER, Mr. J. P.  
COOPER, Khan Bahadur D. B.

## Notcs

DABHOLKAR, SH. VASANTHAO A.	MOKAI, Mr. W. C.
DADACHANDJI, Dr. K. I.	MURRAY, the Honourable Sir CH. SMITH
DALVI, Mr. B. K.	MURTHOOTH, Mr. A.
DEHLEVI, the Honourable Mr. A. M. K.	MURTHOOTH, Mr. L. I.
FERNANDES, Dr. COSMAS	MURTHOOTH, Mr. G. A.
GHOSAL, Mr. J.	NATH, Mr. N. E.
HANID M. ABDUL ALI, Mr.	NEKALYAS, Mr. R. S.
HARRISON, Mr. C. S. C.	OWEN, Mr. A. C.
HATCH, Mr. G. W.	PATIL, Mr. A. I. I. K.
HELIER, Sir LAWRENCE	PILLAY, Mr. P. L.
HIDSON, Sir JUSTIN	PITCH, Mr. I. W.
JADHAV, the Honourable Mr. B. V.	RILEY, the Honourable Mr. J. L.
JAGOT, WADDO KADILJI K. R.	SARFED SHARADJI SHRI HADVA SARKAR
JHANGHI, the Honourable Mr. C. W. D.	SARFED, Mr. R. D.
KHURRO, Mr. M. S.	THOMAS, Mr. G. A.
KOKANI, Mr. G. J.	WILLIAMS, Mr. M.
LAWRENCE, the Honourable Sir HENRY	WILSON, Mr. G.
MASANI, Mr. A.	WOOD, Mr. E. E.

Tellers for the Notes: Mr. I. W. PITCH and Mr. A. C. OWEN.

Question put and a demand of Rs. 6,86,000 granted for Education Reserved.

The Honourable Mr. B. V. JADHAV: Sir, I now move for a total grant of Rs. 1,89,98,000 for "A" Education.

Question proposed.

Mr. B. C. PAHALAJANI (Western Sind): Sir, the motion which I wish to move is:

"Reduce by Rs. 34,000 the amount of Rs. 68,97 being building grant to the Bombay Municipality."

Sir, this amount relates to the payment of the grant to the Bombay municipality in connection with their Rs. 10 lakhs building programme for providing adequate accommodation for primary schools. I should not be considered to be one who objects to grants for buildings for primary education, but when Government choose to contribute to one municipality, which is the most powerful municipality in the presidency, namely the Bombay municipality, such a large sum and takes no steps whatever to aid similar schemes in other municipalities, it is my duty as a member representing the mofussil to protest against such special favour being shown to one municipality. In other municipalities there are schemes ready. There are applications made to the Director of Public Instruction; there are applications I think which have reached or which must reach the Honourable Minister in charge of Education. Therefore, I raise this protest against this grant and ask for a cut of Rs. 34,000, simply to evoke a declaration of policy from the Honourable Minister as to what he proposes to do in future for primary education buildings in the mofussil. Other mofussil municipalities and district boards who are anxious to introduce primary education and who are wanting schools in which to locate their pupils are usually either given no reply, or, if they are given a reply it is one of procrastination. They are at a distance, they are not near the headquarters of the Government, they are not near the seat of Government and therefore the seat of the head of the province with whom usually Bombay city carries greater influence. Therefore, by way of protest, I raise my voice against this special favour to the Bombay municipality and request that the Honourable Minister

[Mr B. C. Palalajani]

will lay down for the benefit and information of this Council what his policy is as regards similar treatment to other institutions.

Question proposed.

Dr. R. P. PARANJPYE (Bombay University): Mr. President, from the figures that are given in the description of that item, we find that so much grant has not been utilised for several years past, and I do not know whether this amount of grant will be actually claimed by the Bombay Corporation this year. I know that the Rs. 10 lakhs programme had been accepted by Government a long time ago, and in fact, if one stands on the strict letter of the law, as the Bombay Corporation is so standing in some other cases they have forfeited this grant, for this programme had to be completed within a certain period, so far as I know. But leaving that aside I do not think all this grant of Rs. 68,000 will be actually claimed during this year and it is proper that this amount should be reduced in order to set free money for grants to other school buildings in the mofussil. I have great pleasure in supporting the motion.

The Honourable Mr. B. V. JADHAV: I take this opportunity of explaining the situation and also explaining the policy of Government in this respect. Government accepted the 10 lakhs building plan of the municipality of Bombay 15 years ago and the municipality completed their programme long since. Owing to financial stringency and want of adequate provision in the budget for building grants about 1½ lakhs out of the 5 lakhs payable to the municipality was left unpaid till 1922. Since then we have been liquidating this debt. Rs. 68,000 and odd are still unpaid and we want to pay this balance remaining. So the honourable member will see that the programme is a longstanding one and that the Bombay Municipality has already performed its part and it is the Government that is lagging behind. Government have got to redeem this promise.

As regards building grants to other municipalities I do not think that Government is negligent about them. The mofussil municipalities have to formulate building programmes and secure the promise; and whenever they submit their claims the Director of Public Instruction has to see whether the amount can be provided out of the total sum placed at his disposal; and in this way he liquidates these promises in their turn. We have during the last 2 or 3 years paid in building grants to municipalities and private bodies for secondary schools, and college buildings about 7 lakhs over and above the annual budget grant. So I do not think Government is remiss in the matter of building grants to municipalities or district local boards. When the control of primary education will be taken over by the local authorities they will be in a position to formulate their programmes and Government will then be in a position to help them to the extent of the amount that will be placed at the disposal of Government by this honourable House. Everything depends on finance. As this House was generous enough to sanction the two money bills I do not think there will be any difficulty in sanctioning these building grants now. It will be seen therefore that the policy of Government is not to be partial to one district or one city. They have

[Mr. B. V. Jadhav]

to look to the general spread of primary education and higher education and I do not think that the conduct of Government has given any real ground to substantiate the charge that they are more anxious or solicitous about the demands of the Bombay Municipality which is at the headquarters of Government. I think the department is as anxious to consider the demands of the presidency as a whole as they are of any particular city.

SIR VASANTRAO A. DABHOLKAR : Sir, I rise to oppose the motion of the honourable member the Deputy President. From the speech of the honourable member the Deputy President it will appear that special favours are being shown to the Bombay Municipal Corporation. I may inform him on the floor of this House that so far as the Bombay Corporation is concerned we neither want any special favours from Government nor from him by his vote as a member of this honourable House. What we claim is our due and as the Honourable Minister has said according to the agreement of paying 5 lakhs this is the last instalment which we claim. Sir, I am rather surprised at the position of my honourable friend the honourable member Dr. Paranjpye. He said that this amount should not be granted. May I know whether when he was Minister, had he contributed to this building grant or not? If he had contributed then why is he opposing this grant now? The municipality had completed its duty and we want Government to do its duty. I had expected that the honourable member Dr. Paranjpye as an elected member of this Council would help the Bombay Corporation rather than oppose the grant. As regards the question of preferential treatment, that no amount is given to other schools in the local boards, a sum of 7 lakhs has been granted. What more can you expect in addition to the ordinary grant?

As regards compulsory primary education in Bombay it is a long history and I do not want to go into that question. If the question is put to me as to whose mistake it is, I will point my finger at the Government. With these remarks I oppose the motion.

MOULVI RAFIUDDIN AHMAD (Central Division) : Mr. President, I also rise to oppose the amendment moved by the honourable member from Sukkur. I am rather surprised at the action of our Senior Wrangler. He wants that the Honourable Minister should not redeem the promise solemnly made.

DR. R. P. PARANJPYE : Excuse me. I said the Corporation will not claim all this money for their expenditure.

MOULVI RAFIUDDIN AHMAD : The honourable member supports the refusal of the grant and it is tantamount to evading the pledge and whether the beginning is made this year or in another year it matters very little. He ought not to have opposed the grant. Sir, we always hear of sectional jealousies. I would condemn equally this spirit of territorial jealousy. It is our duty to ask for grants for education for all communities and for all towns. It is showing mean spirit to complain that one town gets more than another in a particular year. On this point I feel very strong and I maintain that as much money as possible should be allowed, with due regard to justice to communities and towns.



[Mr. Moulvi Rafiuddin Ahmad]

I therefore think that the House will be justified in rejecting this amendment as it deserves a severe rejection.

Mr. B. G. PAHALAJANI (Western Sind) : Without any regard whatever to the remarks made by the honourable member Moulvi Rafiuddin Ahmad, in view of the undertaking given by the Honourable Minister in charge I beg leave to withdraw my motion.

Question put and leave granted.

Mr. K. F. NARIMAN : (Bombay City, South) : Sir, I beg to move :

Reduce to Rs. 68,500—item 52—Building Grant to Bombay Municipality—Rs. 65,597 (Budget Estimate page 269).

Sir, my motion is based also as a protest but a protest in a particular direction. My protest is that Government has not fulfilled the undertaking given to the municipality and with a view to bring that grievance before this House so far as the grant to the Bombay Municipality is concerned, I move for the reduction in order to provoke discussion on this subject. In this matter I do not want to go into the whole history....

The Honourable the PRESIDENT : May I draw the honourable member's attention—because I anticipate what the honourable member is proposing to say—to the fact that the item before the House is only in regard to a building grant, and the honourable member's protest can only be directed to the policy of Government in regard to building grants to municipalities. If the honourable member wants to go further he cannot be allowed to do so on the present occasion. I would like to point out that on a motion of which the honourable member the Deputy President has given notice, to reduce the total demand by Re. 1, the whole policy of the department will be before the House and the honourable member will then be free to discuss any aspect of the education policy of the Government of Bombay in regard to any interest that may be affected thereby. I do not think that this is the occasion when the general aspect of that policy or grant in directions other than building grants can be considered.

Mr. K. F. NARIMAN : Sir, in that case I will reserve my remarks till the general discussion and I will ask for leave to withdraw this motion.

Question put and leave granted.

Mr. V. R. KOTHARI (Sholapur District) : Sir, I beg to move :

“ Reduce by Rs. 100—new item 53 Budget Estimate page 269.”

This item, Sir, is in connection with the appointment of a part-time teacher in Arabic in the Anglo-Urdu High School, Poona. My object, Sir, in moving this reduction is simply to know how the Honourable Minister of Education is able to get a teacher to teach Arabic on Rs. 30 per mensem, and I want to know from the Honourable Minister whether the work done by such a teacher will be efficient. For, if Arabic teachers could be had for 30 Rs. per month, why, we can have Ministers for Rs. 300 per month. So I want to know how the Minister proposes to perform this miracle. That is the object with which I have proposed this reduction.

Question proposed.

The Honourable Mr. B. V. JADHAV : Mr. President, this demand was made on the recommendation of the Director of Public Instruction

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and he was asked whether he has any particular person in view and what his requirements were. Now he reports that a man on Rs. 30 cannot be had and that a man in the regular cadre will have to be appointed. Government have accepted that view and a supplementary grant will have to be asked.

The criticism of the honourable member Mr. Kothari is right. Certainly a man on Rs. 30 cannot be had for teaching Arabic and it is not the intention of Government to employ a man on such a low salary. The Director of Public Instruction has found out that it is not possible and he has submitted proposals and in the July session a regular supplementary grant will be brought before this House.

Khan Sahib A. M. MANSURI (Ahmedabad and Surat Cities) : Sir, my suspicions as regards the apathy of the Honourable Minister towards Mahomedan education seem to have been justified. I have seen that in the Gujarat College the Educational Department is going to bring in a Professor of Economics on Rs. 2,900 per month, while there is a great urgency for a Lecturer in Chemistry in the said Gujarat College.

The Honourable the PRESIDENT : Cannot the honourable member reserve his remarks in view of what I stated on the honourable member Mr. Nariman's demand namely that the policy of the Educational Department will be on the floor of the House in connection with other motions. At present, the honourable member can only deal with this reduction. He cannot go into the whole policy of the Educational Department in regard to a particular community or in regard to the province as a whole on this issue. I must restrict honourable members to the issue that is before the House and that issue is that the amount provided for the appointment of a part-time teacher of Arabic namely Rs. 270, be reduced by Rs. 100.

Khan Sahib A. M. MANSURI : Sir, my object was this, that I wanted to show that the Honourable Minister has got money to spend so splendidly like Rs. 2,900 for a thing for which there is no necessity.

The Honourable the PRESIDENT : The honourable member has not followed what the Honourable Minister has said. The Honourable Minister has admitted the point. As to the inadequacy of the pay proposed he has recognised that the pay is very inadequate, and he stated that he will bring a supplementary grant at the July session. What is there further to be said in regard to this issue ?

Khan Sahib A. M. MANSURI : I simply wanted to refer to the apathy of the Honourable Minister towards Mahomedan education.

MOULVI RAFFI UDDIN AHMAD (Central Division) : Mr. President, I am very much indebted to the honourable member Mr. Kothari, for the remarks that he has made. I had made similar observations in the Finance Committee, of which the honourable member Mr. Kothari is a member and I will not dwell upon this point any further. The demand was for a professor of Arabic in a Government college. A resolution to this effect was moved and it was accepted and now I find there is a proposal for the appointment of a teacher of Arabic in a school.

The Honourable the PRESIDENT : This is in addition.

MOULVI RAFIUDDIN AHMAD : If the Honourable Minister will also assure me about this matter. I shall be very glad to support the present grant, though I do hope that the salary which this teacher will get will be raised to the importance of the subject. I was really surprised to hear the Honourable Minister say that he did not feel the inadequacy of the salary proposed till he received a communication from the Director of Public Instruction. As an educationist, the Honourable Minister ought to have himself seen that the proposal for a teacher of Arabic for Rs. 30 per month was most ridiculous and he should have at once called the Director of Public Instruction to explain his error. However, at present, I will overlook this and resume the discussion of the subject at a later date.

Mr. A. MASTER : Sir, I would just like to point out that the pay that is proposed to be given to this teacher of Arabic was the pay of a part time teacher and not that of a full-time teacher, and as a part-time teacher may teach for one or two or three hours a week, the present pay of Rs. 30 was proposed. The pay for a whole-time teacher is very much larger. But now it has been found, as the Honourable Minister has explained, that a whole-time teacher will be necessary. I think there is nothing more to be said on this point.

Mr. V. R. KOTHARI : Sir, in view of the statement made by the Honourable Minister, I beg leave to withdraw my motion.

Question put and leave granted.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, I beg to move the motion standing in my name, namely :—

Reduce by Rs. 100 Primary Education—Grants to Local Authorities—Rs. 1,01,03,000 (Civil Estimate at page 174).

Sir, in moving this motion my object is to expose the vagaries of the Education Department in spreading and assisting primary education in all the different districts of this presidency since the passing of the Primary Education Act. Education being the most important subject and a nation building element in the uplift and rise of a nation it seems to have been most grossly mismanaged by the Honourable Minister and most negligently handled by him. So far as the question of primary education is concerned, I may be permitted to invite his attention to two or three salient points of importance that have been raised in this discussion. First, the tax on entertainments, which was primarily put on the presidency with a view to assist primary education, has not been fully availed of by him in advancing the expansion of primary education. He ought to have taken his full share and ought not to have remained negligent, as he had admitted a few days back from his ministerial bench. Secondly, Sir, is it not a fact that the Primary Education Act has not been made applicable in a large number of districts in this presidency ? There are disputes going on between the local boards and the Education Department ; there are differences existing between municipalities and the education heads. Though he is an Indian Minister, he has not been able to settle these questions on an equitable basis and to carry out the

[Mr. G. I. Patel]

ideal which every one in this House carries with him, viz., that primary education should be accelerated as early as possible with a view to educate all children of all communities existing in this presidency. The ideal is so great and so important that any differences or disputes ought to have been settled without any delay, and in spite of this continued delay, still I know of districts, and of municipalities, which have not been in a position to get the desired grants from him. Now, in regard to the treatment which he has given to primary teachers, I believe every non-official member in this House admits that they are very lowly paid and there are so many resolutions tabled for the Sathe-Paranjpye Scheme since two years that the Honourable the Indian Minister was long expected to bring some motions or to take early steps.....

Mr. P. G. JOSHI : I rise to a point of order. I would like you to tell me, Sir, whether this is a vote of censure upon the Honourable Minister, or whether all these remarks would be relevant on the motions for a vote of censure which would be coming afterwards.

The Honourable the PRESIDENT : The question has got to be decided by the honourable members themselves. The Educational Department consists of several major heads. This is a small cut in one major head. The Educational Department is carried on in two directions : one is the work of administering education and the other is to give grants to local bodies. If the honourable House is inclined to make a distinction and move a vote of censure, one with regard to the treatment meted out to local bodies and the other in regard to the whole question of administering the Educational Department, they can certainly do so. I had no intention of interrupting the honourable member, because I presumed that he desired to make this a vote of censure on the only issue of grants to local bodies.

Mr. P. G. JOSHI : Will honourable members be in order if, for instance, when item No. 28 comes up for discussion, they refer to the points that are being made by the honourable member Mr. G. I. Patel ?

The Honourable the PRESIDENT : Personally I think the procedure will be that, in case the honourable member (Mr. G. I. Patel) insists upon his right to place this motion before the House, I will allow all honourable members to speak on it. I will not, however, allow a repetition of arguments on this issue on the occasion of a nominal cut in the total demand of one rupee. I cannot allow a double discussion. The honourable House has got to decide whether they want to deal with the Education Department as a whole or in two parts. If it is to be as a whole, then the honourable member might be persuaded to withdraw his motion now and reserve his remarks on that issue. In that case I will allow a full discussion on all aspects of the educational policy of the Honourable Minister, who under the reforms is responsible to the House. But I cannot deprive the honourable member of his right unless he consents to that course which will have the advantage of concentrating discussion on it as a whole.

Mr. G. I. PATEL : I agree to your suggestion, Sir.

The Honourable the PRESIDENT: The honourable member does not press his motion.

Mr. G. I. PATEL: I beg leave to withdraw the motion.  
Question put and leave granted.

Mr. P. G. JOSHI (East Khandesh): Sir, I move:

"Omit Comforts—Rs. 250 (Civil Estimates, page 176)."

I am very sorry that I have to deprive the boys of the training school of their comforts, but I do it on two grounds.

The first ground is that it is an innovation introduced in the current year. If we look to the accounts of 1924-25 we find that there was no such provision made for the comforts of these boys. Secondly I do not think that a provision should be made for the comforts of boys of a particular school when we know that pupils in all parts of the presidency do not even get the necessary education. Therefore I think that so long as primary education is not made compulsory in all parts of this presidency there ought to be no provision for comforts.

Question proposed.

Dr. R. P. PARANJPYE (Bombay University): Sir, I do hope that the honourable member will see his way not to press this motion. In the first place he knows as well as anybody else that these boys who go to the training college are generally very poor and live only on the scholarships they get and consequently they are not able to spend even a very small sum occasionally, say for a bottle of soda during their illness, or glasses for the eyes if the doctor recommends them. For this reason this small sum was provided while I was in charge of education. We talk so much of primary teachers and this small sum is provided for the comfort of those budding primary teachers. I do not think that the House will object to such a small item. These people go to training college because they cannot afford to go to high schools for higher education. They come to the training colleges in order to further their prospects. They are having a wretched existence. Therefore the Council should not grudge this small sum.

Mr. P. G. JOSHI: In view of what the honourable member Dr. Paranjpye has said, I beg leave to withdraw the motion with the remark that to call such an item as 'comfort' is a misnomer.

Question put and leave granted.

Mr. P. G. JOSHI (East Khandesh District): Sir, I move:

"Omit Temporary Establishment—Rs. 840 (Civil Estimates, page 176)."

In this connection I want to bring to the notice of the Council the provisions in Standing Order XI, 1A:

"When the demands made in accordance with Rule 20 or 31 relate to any new scheme or revision of scale of pay or allowances or creation of a new appointment all material details of such scheme or revision shall be supplied to all members as early as possible."

You will see, Sir, that Rs. 840 is provided here for temporary establishment. We do not know what the pay of the men is, what their duties are, and how many will be employed. The details are not given here. In view of the Standing Order I have referred to, this item ought not to be allowed.

The Honourable Mr. B. V. JADHAV : Sir, this amount was provided for a special post created for an assistant mistress in the high school for Indian girls in Ahmedabad in place of Miss Baptista. Miss Baptista officiated in the B.E.S. On her departure to England this post was created. She has now returned from England I am therefore glad to accept the motion of cut.

Question put and carried.

Mr. P. G. JOSHI (East Khandesh District) : Sir, I beg to move :

that Rs. 8,400 provided for Superintendent of Pottery on page 177 of the Civil Estimates be omitted.

In this connection, I will bring to the notice of honourable members the remarks which appear on page 100 of the Blue Book. It has been stated there that the manufacture of acid jars has been stopped at present in the interests of private enterprise. It is also stated that the current year's estimates include 21, on account of expenditure in connection with the working charges of the pottery demonstration factory of the Sir J. J. School of Art and that this provision has been reduced to 2, in the next year's budget estimates as this factory has been closed. When, Sir, this factory has been closed, I do not see any necessity whatsoever for a Superintendent of Pottery. Therefore, I move the omission of this item.

Question proposed.

Rao Sahab D. P. DESAI (Kaira District) : Sir, in this connection I would like to venture a remark or two for the consideration of the Honourable Minister. This House some time back strongly criticised the pottery section in the Sir J. J. School of Art, and in response to those criticisms, the Honourable the Education Minister closed the pottery section altogether. But the criticism from this side of the House was directed to the commercial aspect of that pottery section; the House did not like that Government should compete with private enterprise. But the House would not have objected if potters' boys from the mofussil areas were to be brought to Bombay and given lessons in pottery. But the Honourable Minister has thought it fit to close down the pottery section altogether. In 1924-25 we had about Rs. 16,000 provided for this Department. But in 1925-26 and 1926-27 nothing has been provided. The Civil Estimates on page 177 will show that in 1924-25 the working charges for pottery demonstration were Rs. 16,399; in 1925-26 there were no working charges given for the pottery section, and in the budget for the year 1926-27 also there are no working charges put down for the pottery section. I am however surprised at the conduct of the Honourable Minister in not utilising this saving for some other objects. In cutting down the grant for the pottery section, he has not given the benefit to the school by increasing the grants to other sections. In fact, I find that the whole expenditure for the School of Art is cut down from Rs. 1,63,000 in 1924-25 to Rs. 1,57,000 in 1926-27. One would have expected that the savings effected by the abolition of this section would have been utilised for the other sections in the School of Art, but this does not appear to have been done by the Honourable Minister. Here, I would

[Rao Saheb D. P. Desai]

like particularly to ask the Honourable Minister whether he cannot see his way to have potters' children from upcountry brought down to Bombay and given scholarships for studying in this pottery section of Sir J. J. School of Art, and if he does not want to go so far as that—if he does not want to bring these children down to Bombay to take lessons in pottery—at least to devote the money saved on the pottery section to other sections or give scholarships to students studying in the other sections of the School of Art.

Mr. A. MASTER : Sir, I think there is some misapprehension in the minds of honourable members as to the exact difference between the pottery section and the pottery factory. The pottery factory has been closed. It was run on semi-commercial lines and it was closed for reasons this honourable House now knows. It was found desirable not to compete with private enterprise. But the pottery section still continues. The classes are attended by a few boys who are potters and who learn pottery for practical purposes, but the larger part of the work of this class is done by students of the J. J. School of Art. There are boys who come and take lessons in painting and also learn pottery. It may interest honourable members to know that the pottery section of the School of Art is the only place where it is possible to cast statues in India. I may tell the honourable House that when Mrs. Hilton Young was in India she modelled a bust of His Excellency the Viceroy : she wanted to have a cast made of it. She intended to have the work done in England, but when she found that it could be done in the J. J. School of Art and done well, she placed the order there. I think among arts pottery is the most ancient in the world, excepting jewellery.....

Mr. P. G. JOSHI : May I know from the honourable member whether the factory that has been closed was managed by the superintendent of pottery for whom provision is made here ?

Mr. A. MASTER : From the question of the honourable member, I presume he wants a reply from me as to whether the appointment of the present Superintendent of Pottery will be necessary after the abolition of the pottery factory. I think it will be. The Principal of the J. J. School of Art has for a long time felt the necessity of a personal assistant. The Principal of the School of Art has received great help by utilising the services of Mr. Fern. The Superintendent of Pottery carries on the pottery classes, and in the rest of his time he helps the Principal of the School of Art.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, the honourable member Mr. Master has tried to make out a case that pottery is a very important work so far as art is concerned in India, and therefore it is very necessary that a Superintendent of Pottery on Rs. 700 per month or Rs. 8,400 a year should be maintained. Sir, may I ask him how many other provinces in India maintain such superintendents of pottery ?

Secondly, I can lay a charge at the door of Government that they are not running it on commercial lines. I may suggest to him that instead of paying Rs. 8,400 a year to a Superintendent of Pottery, in case

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Government decide to grant Rs. 8,400 to certain institutions which are already doing that kind of work in Bombay, Poona and certain other places—for example Wagh and Co. and several other companies which are doing expert work in pottery and statue making—the purpose of Government and the ideal of the country will be served to a better extent. Instead of paying Rs. 8,400 a year to a Pottery Superintendent, instead of running the establishment on such a high scale, it is very clear that Government should decide to give grants to the extent of this amount to those institutions which successfully do the work of pottery and statue making in this presidency, and at the same time allow certain students by awarding them scholarships to be trained there, where expert work is being already done in this presidency.

Mr. J. C. SWAMINARAYAN (Ahmedabad District) : Sir, if we look to the head of Industries, on page 245 of the White Book, we shall see that the working charges of pottery demonstration have been cut out this year. It seems that the pottery factory has been abolished. In 1924-25 the expense on account of the Superintendent of Pottery was Rs. 3,688. While the factory has been abolished, and the man has only to do the work of Superintendent of Pottery, namely that of teaching the boys, the expense rises to Rs. 8,400. His work is lessening, while his pay is increased. This is the curious way in which the work is being done and we should like to have an explanation about it from the Honourable Minister.

Mr. P. G. JOSHI (East Khandesh District) : Sir, I think that no case has been made for retaining this office of Superintendent of Pottery, particularly when we have been given to understand that the factory which he was managing has been abolished. It has been stated, no doubt, that this superintendent gives some lessons to the students of the Sir J. J. School of Art. You will see, Sir, that the Principal and professors of the school do not even get so much pay as has been given to the Superintendent of Pottery. I suppose, Sir, that the professor starts on Rs. 400, while this gentleman is being kept to give lessons in pottery to the students on a pay of Rs. 700. I think, Sir, that there is no case for retaining this gentleman, and if at all it is thought necessary to have a teacher who would give lessons in pottery in the School of Art, some other gentleman on less pay may be engaged. I therefore think that there is a good case for the omission of this item and I hope the House will accept the motion that I have made.

The Honourable Mr. B. V. JADHAV : Sir, the honourable member from Ahmedabad (Mr. Swaminarayan) has raised the point that the expenditure on this post in 1924-25 was much less than the amount shown this year, and that as the work of the commercial section has been taken away from him and he has been relieved to that extent, it is very strange, according to him, that a higher salary should be paid to him. The facts are these, that in 1924-25 this professor was on leave in Europe, and therefore a smaller amount was spent on that post, as his work was done by some other member of the School of Art. In 1925-26 he has been here, and the whole amount was budgeted for, and the same amount is now contained in the White Book.



[Mr. B. V. Jadhav]

Sir, the School of Art has got various sections. There is the tuition in art proper; there is the tuition in some art crafts; there is the Reay Art Workshop; and there is this section of pottery. Now, the pottery section under the new scheme of industries was also given another work to do, which was the manufacture of acid proof jars on a commercial scale.

Mr. G. I. PATEL : They were not successful.

The Honourable Mr. B. V. JADHAV : The House knows very well that this commercial venture was not a success, and this House was informed last time that the commercial section would be closed and it has been closed. But the teaching section is continued, and, in the opinion of the Principal of the School of Art, it is a very important section which ought to be continued. The number of students at present taking tuition in that branch is very small. (Mr. P. G. Joshi : We want to know the number). About 4. But, Sir, last year when Mr. Gladstone-Solomon was on leave, this gentleman has done the work of the Principal of the School of Art, and as such the whole of his salary is not spent on this pottery section. At the same time, he is now assisting the Principal of the School of Art in supervising the art-craft section, and the Principal thinks that his services are very badly wanted there. It is for this House to determine whether this pottery section is to be finally closed.

Now, Sir, the honourable member from Kaira (Rao Saheb Desai) is an artist himself, and he has a very high regard for arts and crafts. He is of opinion that this pottery section should not be closed, but that it should be used to better account by bringing potters' sons from upcountry to the School of Art and by teaching them advanced courses in pottery with scholarships and so on. It is a very valuable suggestion, and I think Government ought to pay some attention to it, and I promise the House that this question will be examined. It is a very important question no doubt and pottery ought to be improved all round.

I am afraid that the honourable member for the Ahmedabad Millowners' Association, according to my humble opinion, was rather confusing pottery with statuary. I am very sorry that the honourable member Mr. Master was not explicit enough and led to some misunderstanding. What he meant was that a statue in earth or plaster is cast there. Statues are generally made in marble, and that sort of work is taught in the School of Art proper.

The Honourable Mr. B. V. JADHAV : As a matter of fact as the honourable member Mr. Master has explained, the pottery section is taken advantage of not only by the pottery students but also by the students of the School of Arts as well. A competent authority like the Principal of the School of Art says that this section is a necessary adjunct to that school. It is for this House to determine whether this section should be completely closed and whether the art pottery work should not be done at the School of Art at all. I do admit, Sir, that on the present scale it is rather extravagant (Hear, hear) and this question has been engaging the attention of Government and I do promise the House that proper economies will be effected.

An Honourable Member : Three years hence ?

The Honourable Mr. B. V. JADHAV : Not three years hence but during the course of this year. I leave it to the House to say whether the art pottery section is to be finally abolished or whether it is to be continued under proper circumstances.

Mr. L. B. BHOPATKAR : On a point of information, Sir, I want to know whether the Superintendent is an Indian or a European.

The Honourable Mr. B. V. JADHAV : He is a European.

Question put and carried.

Mr. P. G. JOSHI (East Khandesh District) : I beg to move the following motion :

"Omit Pottery Establishment—Rs. 8,378 (Civil Estimates, page 177)."

From the motion which has been accepted by the House if the Superintendent of Pottery goes, it is better that his establishment should also go. Therefore, I hope that this House will accept the motion which I have made and omit this sum of Rs. 8,373.

Question proposed.

The Honourable Mr. B. V. JADHAV : Sir, if the Superintendent is not to be there then his establishment cannot be there.

Question put and carried.

Mr. P. G. JOSHI (East Khandesh District) : I beg to move :

"Omit Temporary Establishment—Rs. 1,440 (Civil Estimates, page 178)."

In this connection I want to say that no details whatsoever have been given and I rely upon the Standing Order XI, clause 1A on page 92 of the book. No information has been given about the number of men to be employed, their duties, their pay, etc. It is therefore not necessary to make any further remarks.

The Honourable Mr. B. V. JADHAV : The amount of Rs. 1,440 is provided for the pay of the Chief Instructor.....

The Honourable the PRESIDENT : Order, order. A point of order has been raised and I want the Honourable Minister to say whether the provisions of the Standing Order have been complied with. The non-official side of the House would have a legitimate grievance if the Standing Order has not been complied with. I will read it for the information of the House :

"When the demands made in accordance with Rule 20 or 31 relate to any new scheme or revision of scale of pay or allowances or creation of a new appointment, all material details of such scheme or revision shall be supplied to all members as early as possible."

A point of order has been raised for a second time and on the present occasion I want to know from the Honourable Minister whether the Standing Order has been complied with in regard to this temporary establishment. The answer can be in two ways, (1) that this temporary establishment has been on the list for a long time and that it does not come within the provisions of this Standing Order, or (2) that in accordance with the Standing Order details have been supplied and if so when.

The Honourable Mr. B. V. JADHAV : I shall give a brief history of this item.

The Honourable the PRESIDENT : It is not the history that I want, but an answer to the questions that I have put. We have in the budget a certain number of temporary establishments which are really permanent as they are continued from year to year. If this temporary establishment is one like that then it is not a new item. The second question is whether this establishment is proposed to be temporarily employed and if so whether the information required under the standing order referred to has been supplied and if supplied when that information was supplied.

The Honourable Mr. B. V. JADHAV : I am sorry Sir, that the information has not been supplied. But this school was opened in June last year.

The Honourable the PRESIDENT : Is it a new establishment ?

The Honourable Mr. B. V. JADHAV : The school has been working for more than a year.

The Honourable the PRESIDENT : Then it is not a new establishment ?

The Honourable Mr. B. V. JADHAV : It is not a new establishment.

Mr. P. G. JOSHI : I would like to bring to your notice that in the column in the revised estimate for 1925-26 (page 178 of the White Book) no figures have been given which go to show that this was an establishment employed previously. It seems from the absence of figures in these columns that it must be a new establishment altogether. At no time whatsoever details of this establishment have been supplied to this House.

The Honourable the PRESIDENT : The wording of the Standing Order is clear "creation of new appointments". If it is not a new appointment then the Standing Order cannot apply. The question is whether it is a new appointment or the continuation of an existing temporary arrangement. I see the force of the contention raised by the honourable member Mr. Joshi that the columns of the revised estimates are all blank. I will remind Government benches that this question was raised when the Honourable Sir Narayan Chandavarkar was in the chair and he warned Government, that this Standing Order has got to be strictly carried out. Government have had ample notice. In order that the Honourable Minister may be able to give me the information that I have asked for, I will adjourn consideration of this question till to-morrow morning. Item No. 16 is postponed.

Mr. G. I. PATEL (Ahmedabad Millowners' Association) : Sir, I beg to move :

Reduce by Re. 1 Direction : pay of Director Rs. 35, 800 (C. E. page 180).

Sir, the House is thus.....

Mr. H. B. SHIVDASANI : Sir, on a point of order, can a reduction be moved in non-votable items ?

The Honourable the PRESIDENT : Certainly ; the honourable member is referred to section 72 D of the Government of India Act.

Mr. G. I. PATEL : Sir this item of Rs 35,800 is in regard to the pay of the Director of Public Instruction, and my intention in moving this motion is to take a survey of the work which he has done so far in the presidency and of the department which he has handled so far as the interests of this question are concerned. Sir, it is very regrettable to note that....

The Honourable the PRESIDENT : I should like to know whether the honourable member wishes to move a vote of censure on the Director of Public Instruction? That is again dividing and subdividing the main issue. The Honourable Minister of Education is responsible for the entire administration of education. The Director of Public Instruction is not directly before the House. I should like to hear if any other honourable member wishes to address the House on this point. The Education Department is in charge of the Honourable Minister of Education and everyone of his subordinates are under his orders. They are responsible to him and he is responsible to the House.

In passing a vote of censure on the Honourable Minister who is responsible to the House, the honourable member can deal with all the aspects of the educational administration. If, as I pointed out, the main issue which the same honourable member raised on a previous occasion was to be divided into two specific parts, I was willing to allow it; but in this case the point that I want discussed is this: If a vote of censure in this manner can be passed against an officer of the department leaving the Honourable Minister outside, would it not be equally possible to move a vote of censure on any schoolmaster in any school? It may be that his pay is not specifically put down, and the honourable member knows that the pay of the Director of Public Instruction is non-votable. But apart from that question, I should like to hear if any honourable member is prepared to tell me how he wishes to distinguish between the responsibility of the Honourable Minister who is responsible for the educational department and the Director of Public Instruction who is under his orders. That is the point I want some information about.

Mr. B. G. PAHALAJANI (Western Sind) : Sir, may I bring to your notice a similar case when you were the Leader of the House and the then President. The Honourable Sir Narayan Chandavarkar was in the chair and that was the case of Mr. Carter, one of the superintendents of the police here. The whole question was raised in debate by the honourable member Mr. C. M. Gandhi to reduce the pay of one of the superintendents of the local police and that question was allowed to be discussed on that motion. I do not know what was the result. But the motion was to reduce the pay of a superintendent of police by Rs. 800 and it was a budget motion.

Mr. L. B. BHOPATKAR (Poona City) : Sir, I would like to say one word. If under the Government of India Act the Director of Public Instruction is wholly and completely responsible to the Honourable Minister in Charge, then evidently such a motion cannot be moved; but if under the said Act and the rules under it the Director of Public

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Instruction is not bound to follow all the instructions and the directions of the Honourable Minister in charge and can separately approach His Excellency or any other officer concerned in the matter, then such a motion can be separately moved. The determination of this question thus depends upon the examination of the provisions of the Act, the rules passed in that respect, and I feel, Sir, for aught I know of the rules and the Act that the Director of Public Instruction is not entirely subordinate to the Honourable Minister in Charge, and there is a certain margin left by the law according to which the Director of Public Instruction is not bound to follow all the instructions and directions of the Honourable Minister, and therefore I submit that the motion that has been separately made by my honourable friend from Ahmedabad is in order.

The Honourable the PRESIDENT: But will the honourable member substantiate his statement, because after all it is a question of fact. I quite agree with the honourable member the Leader of the Swaraj party in the distinction he has made. It is not working fairly if we leave the responsible head of the department to escape responsibility and impose that responsibility upon a subordinate, who is under his orders to carry out his policy. In that case it would be hardly fair that that officer should be brought on the floor of the House without a substantive motion. That is the reason why I asked the honourable member the Deputy President to produce his authority when he referred to the discussion about Superintendent Carter. But that was on a substantive motion. It is quite clear that on a substantive motion you can raise this issue, but the question is whether you can do it on the budget when the head of the department responsible to you is before the House. This is the issue that I want discussed. If the Honourable the Leader of the House is prepared to prove to me that the Director of Public Instruction is entitled to act independently of the Minister in matters not delegated to him by the Minister, then I would be quite prepared to consider it. My own experience as a Member of the Education Department tells me that the Director of Public Instruction is entirely subordinate to the Member or Minister and takes all orders from him. That is a question of fact. I want any one who is prepared to tell me the facts, to get up and let me know what the facts are.

The Honourable Sir HENRY LAWRENCE: Mr. President, I was just going to rise to be enlightened on one point. It is quite clear, and I think, Sir, you have yourself mentioned, that the pay of the Director is a non-votable item. In that case, Sir, I would ask for enlightenment in what way it is possible to discuss the motion that the pay of a non-votable item should be reduced by one rupee or otherwise?

The Honourable the PRESIDENT: I am inclined to think that the Honourable the Leader of the House is right. I should like to invite hon'ble members' attention to section 72D. This is a very important point and I should like to get any comments on the issue that is before the House, if any honourable member wishes to make them. The first part of section 72D (2) is all comprehensive, and when I said it could be

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done I was relying upon the comprehensive words of sub-section (2) of section 72D, which says—

“The Council may assent, or refuse its assent, to a demand, or reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed.

But sub-section (3) says—

“Nothing in the foregoing sub-section (sub-section 2) shall require proposals to be submitted to the Council relating to the following items of expenditure—

(i) contributions payable by the local government to the Governor General in Council; and

(ii) interest and sinking fund charge on loan; and

(iii) expenditure of which the amount is prescribed by or under any law; and

(iv) salaries and pensions of persons appointed by or with the approval of His Majesty or by the Secretary of State in Council; and

(v) salaries of judges of the high court of the province and of the advocate general”.

That shows that those salaries are non-votable and no motion for its reduction can be entertained. On that ground I must rule the motion out of order.

Mr. H. B. SHIVDASANI : Under rule 30(2) it is stated that a motion can be made to reduce any grant.

The Honourable the PRESIDENT : That is a quotation from the rules which I have already read out.

Rao Saheb D. P. DESAI : In case an officer whose salary is non voted is forced upon this House, then what remedy has this House got?

The Honourable the PRESIDENT : The honourable member has been told half a dozen times that the House has full power to turn out the Minister who is responsible for the administration of the entire Education Department.

I should like to know from Government whether all the inspectors are non-votable.

The Honourable Mr. B. V. JADHAV : One is votable and six non votable.

The Honourable the PRESIDENT : Does the honourable member wish to propose a reduction in the votable inspector? I think the best course is to tackle the department on a vote of censure.

Mr. R. G. SOMAN : On a point of information, Sir. The Honourable Minister just now told us that six inspectors are non votable and one is votable. But I find from the White Book a provision of Rs 90,350 for 7 inspectors and they are all said to be non-votable. Is it correct?

The Honourable the PRESIDENT : If it is non-votable the motion cannot be allowed.

\* The Honourable Mr. B. V. JADHAV : One man from the B.E.S. is acting in the I.E.S. and his salary is votable. Six men are in the I.E.S. and their salaries are not votable.

The Honourable the PRESIDENT : I do not think that honourable members would consider it proper that the time of the House should be occupied on these minor issues when they have got to deal with important major issues in the budget. Honourable members would be perfectly

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entitled to go into the entire question of the Education Department in all its aspects.

Mr. R. G. SOMAN : This point assumes some importance only on account of the fact that whenever Government notes an item as non-votable this House is bound to take it as non-votable. From the facts stated by the Honourable Minister it seems that Government have not properly noted them.

The Honourable the PRESIDENT : The honourable member has been furnished by the Honourable Minister a very good argument to say that the Educational Department is very negligent. He may reserve it for use at the proper time.

I take it that the honourable member does not wish to move his motion. Question put and leave granted.

The Honourable the PRESIDENT : The procedure laid down has been that honourable members have the liberty of criticising the department as a whole on a vote of censure. I leave it to the House to decide which motion they desire to discuss. As a vote of censure I would prefer the motion to reduce the total demand by one rupee. There are two such motions. One stands in the name of the honourable member Mr. B. G. Pahalajani and the other stands in the name of the honourable member Mr. V. R. Kothari. I understand that both the motions were received on the same day. I leave it to the two honourable members to decide between themselves as to who is to move it.

Mr. V. R. KOTHARI : Sir, I wish to move it myself.

The Honourable the PRESIDENT : Then, what is to be done ?

Mr. V. R. KOTHARI : The House can decide.

The Honourable the PRESIDENT : If both the honourable members insist, I will have to decide under the Standing Order which gives me general authority to deal with matters which are not specifically provided in the Standing Orders. But I would much prefer to have it decided by the two honourable members themselves.

Mr. V. R. KOTHARI : I leave it to the House.

The Honourable the PRESIDENT : I think that the senior member the Deputy President, should move it.

Mr. B. G. PAHALAJANI (Western Sind) : Sir, I beg to move :

That the total grant for Education be reduced by Re. 1.

Sir, by moving this Re. 1 cut in the Education grant I hope I am giving the whole House an opportunity of discussing the policy of the Government in the Education Department. It should not be understood that the discussion on the policy of the Education Department is, or will be, a vote of censure on the Member in charge. This is a proposal which gives an opportunity to every member of this non-official side...

The Honourable the PRESIDENT : I should like it to be clearly understood that if a small cut is carried by the House, it is equal to a vote of censure, and it is on that basis alone that the discussion is allowed.

[The President]

Otherwise, the Minister can get up and say that he accepts the cut of Re. 1 out of a total grant of about 2 crores, and there would be practically an end of the matter. That is why if a nominal cut is carried by the House it must amount to a vote of censure.

Dr. R. P. PARANJPYE: Mr. President, I would just like to put before you one point. There are two ways of moving a vote of censure. One is by proposing a small cut in the demand for grants, and that will amount to a vote of censure upon the Minister's policy..

The Honourable the PRESIDENT: Upon the department.

Dr. R. P. PARANJPYE: Yes, upon the policy of the department. There is another way in which a vote of censure can be moved, and that is by proposing a small cut in his pay, and that will mean a vote of censure on the Minister. If the first motion is carried, it will mean an urgent exhortation on the part of the Council that the Minister should change his policy, but it does not mean that the Council want him to resign. On the other hand, if a cut in his salary is carried, it will amount to an immediate notice to the Honourable Minister to resign his seat. I would make that difference between the two.

The Honourable the PRESIDENT: Honourable members are perfectly entitled to make what distinction they like. It is not my function to tell them to make any distinctions in the manner they vote. But the fact remains that if this vote is carried the policy of the department is condemned, and that as the head of that department and the person responsible for that policy, it is a vote of censure upon the Minister. Whether he resigns or does not resign is not a matter with which I am concerned.

Mr. B. G. PAHALAJANI: Sir, without raising that contested point, I will only say that this proposal gives an opportunity to the whole Council to discuss the policy of the department. In placing the fact, that I wish to do before this Council, I would also submit to this House that it is being given an opportunity of expressing its opinion upon the treatment that the Government gives to the Education Department to say whether the policy followed by Government in regard to education is a sound one. It is on that principle that I move this particular motion for a cut of Re. 1 from the whole grant of Rs. 1,89,00,000.

To me the most important subject that is at present exercising the public mind is the question of compulsory primary education, a great need for which has been felt in the Central and Southern Divisions of the presidency and in many parts of Sind where primary education is at an ebb. The treatment given to rural areas in this matter of primary education and the undertaking given to district local boards by Government—these are also matters which will come for discussion under the present proposal. Under section 13 of the Compulsory Primary Education Act, passed during the time of the honourable member Dr. Paranjpye, the last Minister, it was provided that the Government shall continue to contribute the annual amount then contributed to the local bodies in the year 1922-23. This was called the datum line. This House knows that the Government of Bombay bound themselves, under a statute not to give less than the grants given in 1922-23. Now,



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the grant received by the district local boards in 1922-23, when the Act was passed, was nearly 90 per cent. of their whole expenditure on education

Therefore, so far as the district local boards, the rural areas, were concerned, the presidents and members of those boards had a definite undertaking given to them by Government in a statute that in future for compulsory primary education they would get at least 90 per cent. of their expenditure as shown in 1922-23. Now, Sir, after that what has been done? A Government resolution has been passed in 1924, in which the datum line has not been fixed as undertaken by Government under a statute, it has not been fixed at 90 per cent. as was conveyed by Government to the district local boards under section 13, but it has been fixed at the total amount paid by Government *minus* the amount realised by the 4 pies of the local cess that district local boards had to devote towards education from the one anna cess leviable upon all Land Revenue. It is that point that I wish to bring to the notice of the Honourable Minister. I ask him whether the datum line fixed by the Act can be circumvented by an interpretation of the Act not warranted by the meaning which its words convey to an ordinary man. I put it to the Honourable Minister in charge, that for instance if the district local boards received in 1922-23 one lakh of rupees, which represented 90 per cent. of their expenditure on primary education, whether Government would be justified in fixing the datum line at Rs. 77,000 or Rs. 78,000 by deducting the income arising from the four pies of the one anna cess that had to be devoted to education. I submit to the Council and the Honourable Minister in charge that if that had been done by an ordinary person he would have come under a special section of the Penal Code. Done by Government, it has to be explained by the Honourable Minister in charge how the datum line fixed by statute can be circumvented in the way it has been done. Now, proceeding to the municipalities, the amount of contribution laid down in their case by the Act was 50 per cent. It was 50 per cent. before the Act, and the Act makes no change in the rate of contribution. There again a circumvention of the datum line has been resorted to. I have got a copy of the Resolution of the Government of Bombay on the subject. It is Resolution No. 1050, dated 7th March 1925. Paragraph 2 of that Resolution conveys the opinion of the Director of Public Instruction. It says:

"Further, in a number of cases, a municipality gives a grant to a school which is already aided by the Government and thus the Government pays to one school a grant under the ordinary rules of the Grant-in aid Code *plus* half the amount of grant awarded by the Municipality. I consider therefore that *in future* all expenditure *except* on *Primary Education* should be excluded for the purpose of *calculating the grant*."

The object of this particular paragraph is this: There is a municipality which maintains its own municipal schools. It also contributes grants-in-aid to certain aided schools within its area which are carrying on the work of primary education. Those aided schools receive a grant from Government also, as separate aid with which the municipalities have no concern. According to this resolution if a municipality, for instance,

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pays Rs. 10,000 as grant-in-aid to primary institutions, half of that amount, that is, Rs 5,000 used hitherto to be obtained from Government as contribution; now that 50 per cent. grant-in-aid has been stopped by the Government. Instruction have been issued by the Inspectors under orders from the Director of Public Instruction in December 1925 and January 1926 which have been communicated to the various municipalities and local bodies. They are told that as ordered by the Director of Public Instruction steps are being taken to pay to aided primary schools a provisional grant equal to half of the grant under the old rules; the municipalities are therefore requested not to pay any grants to primary schools hereafter, until further instructions on the subject are received from the Director of Public Instruction. Now Sir, according to this, what the Government intend to do is this. If a municipality makes any contribution to private-aided schools, Government is going to refuse paying its original grant to them, and will give them only the difference of half of the grant that they receive. So that, whatever aided institutions received grants before, whatever aided institutions had been supported up to this time, are now placed at a special disadvantage, by compelling the municipalities to deny them the grant, because Government refuse to pay 50 per cent. of that grant to the municipality. Now, I have given you, Sir, the circumvention so far of section 13. I have shown how great care is taken by the department to save its own money by methods which are certainly open to question. Therefore, I submit that the Honourable Minister who is in charge of this department, if he is convinced that primary education should advance, if he wishes that primary education should be encouraged if he wishes that the district local boards should carry on the policy that he wishes the district local boards to carry on, then it is his duty to see that no circumvention of this kind takes place. It is his duty to see that the full advantage given by section 13, the lowest datum line of 1922-23, is preserved and not in any way reduced, and that there is no case for a reduction of 4 pias income theoretically levied but never wholly utilized towards education on account of the demands on their income. So far, therefore, for primary education. For education in general what do we find in the budget before us?

The Department of the Honourable Minister is one in which no man on the non-official side will refuse to give him any amount that he demands, and if the Honourable Minister by his budget shows any mentality which savours of weakness, so far as the other part of the Government is concerned, this part of the House is entitled to demand that he shall be strong. Now, what is the state to which the policy of the Government has reduced the Education Minister? In the current year's budget, the Government gave him Rs. 2,08,79,000, and last year at budget time I complimented for the first time the Education Minister for having succeeded in getting a grant of Rs. 25 lakhs more, just in the same way as the Honourable the President once got it in 1918. But unfortunately this compliment cannot be justified now, because, if you turn to the budget estimate, you will see that instead of compelling the

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Government to give him all the Rs. 2,08,79,000, he has actually surrendered Rs. 1,30,000 to the Government, presumably for other departments. There may be reason for the surrender; there may have been savings; but will a Minister who has a grant of Rs. 2 crores odd at his disposal, if there are savings in any services, if there are savings in different branches of his department, be justified in surrendering to the Government Rs. 4 lakhs, which he can utilise in other directions? Will this House be satisfied with any justification that the Honourable Minister may advance for handing over to the Government for use elsewhere Rs. 4 lakhs and a quarter out of the sanctioned budget of Rs. 208 lakhs and being satisfied with Rs. 204 lakhs only in the revised estimates? And, what is the estimate for next year? Not Rs. 208 lakhs. Last year was an exceptional one, perhaps, when the finances were ample, and they could spare much for the Education Minister. But for next year we come back again to Rs. 205 lakhs, that is Rs. 3 lakhs less than the current year. Now, I put it to the House, I put it to the Honourable Minister himself, whether he can give any justification or reasons for his conduct in accepting Rs. 3 lakhs less for next year, and surrendering Rs. 4 lakhs out of the current year's grant. Does he feel for a single moment that all the reasons that he will give will afford justification to this side of the House as it may to the Government side? If you want to see the effect of this, I would ask you to refer to page 164 where a precis is given. You will find that it has a reflection in the figures of grants to other institutions. There is one particular thing which you will find there, and that is that Government's institutions are pampered at the cost of aided institutions. On page 164 you will find that the grant for Government colleges next year is Rs. 6,70,000 against a revised budget estimate of Rs. 5,50,000 and a budget estimate of Rs. 6,51,000 for the current year. But when you come to non-Government Arts Colleges, you will find that the current year's revised budget is Rs. 3,67,000, and for next year there is a provision of only Rs. 2,87,000. That is, the provision for aided colleges during next year is Rs. 80,000 less, and it is well known that these colleges on account of the increased expenditure have to depend more or less on the Government. Is it fair that in agreeing to accept Rs. 3 lakhs less for the next year's provision for education, the Honourable Minister should reduce the grants to non-Government or aided colleges? Should he have agreed to accept from the Government, which threatens to starve the transferred departments, Rs. 80,000 less next year for grants to non-Government Arts Colleges? While for Government secondary schools there is a provision of 11,89,000 the revised estimate shows 11,16,000. The grants for non-Government secondary schools in the revised estimate for 1925-26 are 13,04,000 while there is a provision of Rs. 12,58,000 in the budget estimate of this year; that is non-Government secondary schools are to receive Rs. 46,000 less this year. Private colleges relieve Government of the three-fourths of the burden like Government secondary schools. So the cut must fall on the Government secondary schools and not on non-Government schools which depend on Government only for one-third of their expenditure. Still you find a reduction in the grants to these institutions. Further on, the only department in which we notice a slight increase is

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primary school grants. The grant last year to primary education was 116 lakhs. This year's grant is 119 lakhs. Indeed it is a very great victory for the Honourable Minister to have obtained from Government the mighty sum of 3 lakhs of rupees for educating the vast mass of Indian boys from one end of the presidency to another ! But, Sir, if you turn to the details of these 3 lakhs what do you find ? You find on page 174 the details of these contributions.

Grants to local authorities for primary education ..	1,01 lakhs
Provision for the introduction of the scheme of compulsory primary education ..	8,50,000

Mr. P. G. JOSHI : May I know what is the scheme ?

Mr. B. G. PAHALAJANI : I am coming to that. Grants to the Bombay Municipality for the extension of primary education, Rs.8,32,000. The total of 1.19 lakhs is made up of such items. It contains an extraordinary item payable to the Bombay Municipality. If you remove that item made under the threat of a suit, the actual grant for primary education which the Honourable Minister has got is 5 lakhs less than last year. I put it to you, Sir, whether education which is considered to be the most important subject by this side of the House can afford to be treated with contempt and threatened with starvation, if taxation bills are not passed. I put it to you whether it is not due to the Minister to say " I shall be given an increase of amount or here is the place which I resign for better persons to occupy ". That is the position that I expect the Honourable the Minister to take up. I do not mean any disrespect for the present Minister the Honourable Mr. Jadhav. I have got the greatest respect for his energy. But I say it is his duty to insist that more money shall be given to his Department at any cost. I have told you already that the main undertaking which the Honourable the Finance Member gave that the amount realised from the entertainment tax shall be devoted to education has not been realised up to the present day. The income arising out of the entertainment tax was 8 lakhs. Has that amount been given towards primary education ? If you compare the figures for the last 3 years you will not find any abnormal increase in the grant to primary education. The general increase in the grant is towards university, secondary and special education which are chiefly the great exhausting part of the Education Department. Government institutions are being pampered. If this House has the strength which I expect it has, then it should insist on Government to devote this 8 lakhs *in addition to the ordinary rise in grant*, for primary education ; besides the normal encouragement. It is for the Honourable Minister to insist that the undertaking of the Government shall be fulfilled. It is for him to insist that the grant for education shall be greater than it is now and it is for him to insist that no cut shall be made in the Educational Department that is under him. If after all this insistence within the inner council, he is not supported by this side of the Council, he then can complain that the Bombay Legislative Council is not doing its duty. This is not a vote of censure, Sir, on the Honourable Minister, but this House will be passing its opinion upon the policy of Government in carrying education in spite of the bloated budget, in spite of the bloated charges of 6 crores of rupees in the Bombay treasury. In spite of all

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this Government are starving education on all sides. In spite of all this you find schemes of building awaiting before the Minister for schools and colleges. In spite of all this the Honourable Minister dare rise in his place and tell us that taxation is necessary. Demands from aided secondary schools, whose schemes are waiting in the archives of the office of the Director of Public Instruction, are before him. Which is the greater need of the people : buildings for educational institutions or a record room in a court or a house for a policeman ? I feel, Sir, that the poor schools in the mofussil, the poor local board presidents in the mofussil, have no influence as the president of the Bombay Municipality can have to bring to the notice of the head of the province with whom he is in daily touch. But the Education Minister must remember that it is not the Bombay city that is maintaining the Bombay Presidency, that it is not the Bombay City that is contributing money for the maintenance of this presidency, it is the agricultural classes who give 5 crores of rupees every year. The greater portion of this amount is contributed by the mofussil. If this presidency is maintained by the mofussil which is poor and struggling, is it not fair that the Honourable Minister should devote his attention in a greater and greater degree so that he may leave a name for himself for having got more money for education in all directions—not starving university at the cost of the secondary as was done in the last régime ? Should that not be the function of the Minister ? These are the main matters on which the policy of Government is open for comment. If an Executive Council Member unsupported by an elected majority of 86 as the present Minister is now, could in 1918 impress his personality upon the then bureaucratic Government of this Bombay Presidency, if within the 3 years he was in office he was able to so work as to make Government declare the policy that for every village there shall be a school—you read the debates of 1918—if this policy was laid down in 1918 by the Government at the head of which was an Executive Member not subject to the vote of the Council, is there any greater condemnation now on the Minister of Education than that that policy is no longer in existence ?

Are we going back, are we retrograding, are we going back, Sir ? Is it not the Honourable Minister's duty he owes to this Council that he should follow faithfully, and not only follow faithfully but that he should enforce faithfully and insist upon Government of which he is part and parcel, to give him sufficient sinews to follow the policy that his predecessor in 1918-19 laid down for him ? Unless that policy which has been laid down in 1918-19 is carried out and made clear and unless it is made clear to the world outside that he is trying his best to advance education on a voluntary basis, if not yet on compulsory basis, his administration cannot be called a success. It will be called a policy of drift. It is only in that way that he should impose his will upon Government. What does it benefit the presidency if a Minister comes and goes out after three years ? What does it benefit education or the rural masses that are there unless like his predecessor the Minister makes Government to carry out that policy laid down not potentially but

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actually in fact placed before the country by his predecessor? He ought to be in a position to be proud enough to place his exploits in that direction before the country and to tell the people and to tell this House and the whole country what he has done in that direction. It is no use his telling this House that he has been spending so much less than the Bengal Council and so much more than any other council. That is not what we expect our Minister to do. We want him to lay before his eyes the policy that has been laid down before him by his predecessor on the voluntary basis. Now the Government to do that on compulsory basis also. And in this manner he could impose upon Government his will to proceed on and in his branch of education, education primary, secondary and technical and it is only then that we can say that the Honourable Minister Mr. Lathoo's administration has been a success or like his predecessor, one it is a dismal failure.

Question proposed.

MR V R KOTHARI (Sholapur District) : Sir, I support the motion moved by my honourable friend the Deputy President. He has already dealt with the question of primary education and though I wish to touch it later on I will not take up the question of technical education. As regards that matter I will refer to what the late Educational Minister Dr. Paranjpye said in one of his speeches that he delivered in Gujarat during his election campaign. He said that the last thing he had done was to appoint two committees, one under the chairmanship of Mr. Vishveshwarayya and the other under the chairmanship of Mr. N. C. Chaudavarkar the former on the question of technical education and the latter on the question of compulsory primary education. But so far as the Technical Education Committee was concerned that proved to be the first and the last thing of his regime. That committee made certain recommendations but nothing came out of them. Unfortunately the committee chose to split into two sections: one consisting entirely of Europeans and the other consisting entirely of Indians and both the sections submitted separate recommendations and as has been said by the late Minister when he was in charge of education he was at a loss to know which recommendations he should follow and therefore he then said that he was writing out a separate report himself. Unfortunately, either he did not find time to write that report or he did not publish it and in that way the question was somehow shelved and no provision was made for technical education. Well, Sir, what do we find later on? It is quite clear from the speech made by Dr. Paranjpye as Honourable Minister in 1923-24 budget debate that Government had considered the matter and that they were unable to come to any conclusion owing to the difference of opinion of the committee. But later on a question was put to the present Education Minister, the Honourable Mr. Jadhav, on this matter in this House and he replied that Government were considering the report. That is a very queer way of dealing with things. Because there are instances in this world and in this country everywhere of Governments

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having gone back upon their promises. But this is the first instance of Government forgetting a question already considered. Government is still unable to decide as to which set of recommendations they should follow and we are told every time when the question is asked that the report is under consideration. This morning it was stated that there was some scheme being considered and again the Honourable Minister said that what was being done by Government was that they had referred the matter to Dev in Bahadur Godbole and so forth. So we are still unaware as to whether any scheme has been prepared or not. And the Education Minister himself has laid so little stress on technical education that we do not expect him to do anything in this respect.

As regards primary education, as has been pointed out, there is no progress excepting the huge amount that you find is being given to the municipality of Bombay city. But as regards the mofussil, we do not find from the present budget that primary education is receiving that attention which it ought to receive. As I pointed out in my budget speech it has been recommended that education should be made compulsory throughout the presidency in ten years and still we know that though the recommendation was made four years ago compulsion has not been introduced even in 1/100th part of the presidency. This is the position so far as compulsion is concerned. We know that the honourable member the Secretary of the Educational Department during a similar discussion in 1921 told us that the schemes had to be formulated and that there were heaps of files to be gone through and that Government had to consider those schemes and so on. I have noted that in one of his remarks in his speech somewhere—the Minister said that it was the duty of the local bodies to introduce compulsion. But this question had arisen in 1921 when the late Education Minister was there, and he stated that unless Government could enforce compulsion it was useless to accuse Government of inactivity, because according to the Pital Act it was not possible for Government to compel local bodies to introduce compulsion in their areas. Therefore, the Chaudharkar committee was appointed and after consulting public opinion the committee made certain recommendations and on those recommendations we had the Act of 1923, which has given power to the Government to compel local bodies to introduce compulsion in their areas. But there is not a single instance of the Government having used that power with regard to any local body whatsoever; nor are there numerous instances of local bodies coming forward of their own accord to introduce compulsion, and yet the Education Minister wants to leave everything to the local bodies. So, if he is not prepared to do anything more than that himself, then what is the use of the Act, and why do you want a Minister at all? Because if the whole thing is to be entrusted to the local bodies, it is only a question of giving grants under the Paranjpye Act. That is all that Government have to do. Then, there is no need to have an Education Minister; leave it to the Finance Member,—leave it to the Finance Department,—and leave it to the local bodies, and we can go on. The Education Minister has been saying that

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the local bodies are now powerful and they have been given more authority and given more power they have the power of raising taxation for this purpose and it is not proper for Government to interfere with the local bodies that you must give Sarsang to the P. L. S. and all these things come in only when it is a question of legislation and such other reform otherwise in other matters Government is always only too ready to interfere in the affairs of local bodies.

So I wish to know from the Education Minister what his own policy has been and what he is going to do in the near future at a time that he is before him, and unless he is able to give an explanation to the House as to the way in which he has conducted himself I fear that the House is going to be satisfied with the policy of the Education Department. We cannot see any evidence of the huge enthusiasm that the Education Minister used to show when he was not on the Government benches. There was no speech of his and there was no occasion when he did not evince his enthusiasm about primary education. There was once a discussion in this House about the separation of executive and political functions. Primary education had no connection whatever with that subject but he went on to say that in spite of a 100 or 150 years of British rule the education of the masses, the illiteracy of the masses was still as bad as ever. The President called him to order but still he went on as he used to do in those days to say

"Until Government take more interest in the education of the masses I ought to raise my voice in protest on behalf of the masses and say that all these luxuries like the separation of the judicial from the executive functions must be taken in hand, they must be stopped. We must concentrate the powers of the executive and judicial functions in one place, we must concentrate the necessity as education is."

That was his opinion about mass education. Later on, on another occasion, he said

"Government spend more money for the benefit of the upper strata of the population and they are oblivious of the lower strata and therefore the educational condition of the masses is really deplorable. Even in this limited budget, the Education Minister has not paid in his attention to the University and secondary education and has provided additional sums for them. So if other successful, I prefer that some saving should be made on higher education and utilised on primary education."

We want to know what he has done now, whether he is spending more on primary education or cutting grants from primary education and spending them on higher and secondary education.

On another occasion in February 1923 the subject was Town Planning *versus* Primary Education (Laughter). No town planning, he said, unless primary education was made free and compulsory (Laughter). This is what he said.

"All these town planning schemes and famine insurance funds and irrigation works will be of little avail if the agriculturist is not better equipped mentally and materially by means of professional and literary education."

What becomes of all this talk in which he indulged when he was not on the official benches? He was so keen on this question that he did not care to speak on any other subject. Several times he was ruled out of order by the President because he brought in this subject although



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quite a good one was under discussion (Laughter) I say all this in order to indicate the fire that used to burn in his mind at that time. Fortunately he had an opportunity so shortly after of carrying out in practice what he was preaching and I personally should have admired him if he had done something for the masses even at the cost of secondary and higher education. But he has done very little or nothing in any direction. The University Reforms Committee Report lies upon the shelf of Government offices and nothing has been done. The technical Education Committee's Report also lies on the desk of some office and will perhaps be eaten by the worms and nothing will be done upon that. So also with regard to the report of the Primary Education (Chandavarkar) Committee. With regard to starting of schools on voluntary basis, of course in reply to a question this morning the Honourable Minister told us that a few hundred schools have been opened here and there. Even before the reforms in the pre-reform period—300 or 400 new primary schools used to be opened every year. 'War or no war, primary education must go on'—and Lord Willingdon when the war was on. Even when the war was there new primary schools were being opened and Government were trying to find money for it though the policy then was to keep up balances. During the last two years I am sure Government was not so pressed for money as it was during the last three years before that period and Government can no longer raise the same complaint of financial stringency as it used to do in those days.

The Chandavarkar Committee recommends that all villages with a population of 250 or more should have a school somewhere within its reach. But what is the number of schools opened? There are about 11,000 or 12,000 villages in this presidency that have no schools, and if that committee's report has to be carried into effect, at least 3,000 or 4,000 schools should have been started by this time. But what do we find? If we go into the matter carefully, we shall find that no new schools have practically been started. There was an argument advanced in 1921 by Dr. Paranjpye that consolidation should precede expansion, and that unless they improved the position of the primary teachers there was no use starting more schools. Dr. Paranjpye did something towards this consolidation. But what more has been done by Government since then? Government talk of the policy of consolidation when we bring in the question of expansion, when we bring in the question of consolidation they talk of expansion. As a result we have neither consolidation nor expansion. So one policy is pitted against another and we get neither consolidation nor expansion. I really congratulate the Honourable Minister on this queer bureaucratic mentality of his. When we want prohibition, we are told that in that case we cannot have primary education. When we want primary education we are told that we cannot have prohibition in that case. In spite of all this the Honourable Minister prides himself as a representative of the backward classes and loses no opportunity of abusing the higher classes as he did in Madras. Now two years have expired already and

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he has failed to put into force the principles he had been advocating. So far as I remember during these two years he has not made any statement of his policy on educational matters worth the name. Instead of that he has by his speeches made awkward the position of the head of the province. If only he had confined himself to his legitimate duties, this unpleasant occasion would not have arisen.

There is another point on which I wish to touch—the question of national education. This is very essential and this reform could have been carried out without much expenditure. Of course a small expenditure will be necessary for the appointment of committees and the preparation of new curricula. But after all, that expenditure is nothing as compared with lakhs and crores that will be required if you want a really useful system of technical and compulsory primary education. So this reform can be carried out without much expenditure. But what have Government done to nationalise education during these years? (An Honourable Member: Taxation). I have some definite ideas as the Honourable Minister for Education knows. If he puts these ideas into effect we can hope to see the spread of national education. If the younger generations are taught to respect each other's religion and if they are taught to care for their country first and care for their religion afterwards, it will be a great gain to the country. At present these false ideas about superiority, birth and religion are working a great havoc in the national life of this presidency. If these ideas are removed by a proper reformation of the curricula that would really be a great national gain. I am sure the Honourable the Educational Minister holds very definite views on this matter; but he has taken no steps to put them into force so far as his department is concerned. He has taken no steps to appoint a committee to go into this question and it is this question that was prominently raised by Mr. Jayakar in 1924. He made it clear that unless the Honourable Minister makes education national, education is not going to be of much use. The debate on this question lasted the whole day and the Honourable Minister then said that he would try his best to carry out that policy. I doubt whether he at all tried to carry out any policy. This could have been done very easily, because the expenditure involved is very little. In short in all these directions the Minister has completely failed to meet the wishes of the House, and I think this House will be well advised in carrying this motion.

Mr. G. I. PATEL (Ahmedabad Millowners' Association): Sir, we have to consider three points in criticising the Honourable Minister. The first is that he is an Indian member sitting on the ministerial bench, secondly he is in charge of a department, which is of vital interest to the building of the nation, and thirdly if he had used his powers rightly he could have always counted on the support of this House.

Now, I will take the various departments he has handled and try to show the scanty progress that he has been able to make in regard to the education of this presidency. First, I will invite his attention to page 89 of the Blue Book where it is stated that under the head Primary

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Education in 1924-25 we used to spend one crore and eight lakhs. Since he took charge, during the last three years when he occupied the ministerial bench which gives him a good deal of opportunities and influence, the progress in expenditure on behalf of education has gone from one crore eight lakhs to one crore twenty-seven lakhs only. This will clearly show to the House the meagre average progress that the Education Department has made. When other departments have fully utilised their money, our Education Department alone has spent very meagrely in comparison with several other departments. I will again call his attention to page 91 of the Blue Book. Here on secondary education the revised estimate for 1925-26 stands at Rs. 4,91,000 when the originally budgetted estimate stood at Rs. 5,17,000. Were the Honourable Minister himself to look into these figures, he will clearly realise that he has failed to utilise sanctioned amounts and thus to discharge his duty. He has failed to spend more money on the transferred side of the Education Department which concerns the education of the children of the soil.

Then, Sir, I come now to the main issue touching this subject and I will try to show how he has been able to influence the officers in that department. From the discussions in this House it is clear that we are unable to move even a reduction of one rupee from the pay of the Director of Public Instruction. That is not within our province. But it is within our province to criticise the policy of the whole administration of the Minister of Education. I should like here to draw the attention of the honourable House to some of the vagaries of the Director of Public Instruction who keeps the department under his thumb. Whenever any question of education crops up, the Honourable Minister has to send it down to this highest foreign authority for opinion. This officer is appointed by the Secretary of State and not by the Bombay Government, and therefore the Honourable Minister has to face the anomaly of carrying on his department with the help of an officer who is not "directly" responsible either to him or to the Government of Bombay. (Moulvi Rafiuddin Ahmad: Is that the Minister's fault?) Well, that is in one way the fault of the Honourable Minister of Education. If he has got the power to fight for more money for the ministerial departments, he can also fight for more constitutional powers through us. If he cannot get more powers, he can count upon our solid support.

Now, Sir, I will give one or two instances in regard to this. One instance was in regard to a servant of the Education Department who was suspected by the local authority of having conveyed information to somebody. Simply on that suspicion this servant of the department had to suffer a great deal. As soon as the local authority through other interested parties suspected that this man had carried information, a *tumar* (memorandum) went from the educational officer of the district to the Director of Public Instruction, who, simply on this suspicion put before him by his subordinate officer, censured the man. This fact unfortunately came to my notice. I consulted the Minister and I exchanged letters with the department, but the usual reply—of the kind that the Honourable Mr. Rieu gave us the other day—was given that

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it was a departmental subject. I carried the matter further, and I had a discussion with the highest head of this Government, and ultimately in my personal interview I was able to convince him that that servant of the department was absolutely innocent in the matter. And after an investigation by the head of this Government, I think orders were issued that the censure should be withdrawn. May I ask the Honourable Minister in charge if all the subordinates of his department are protected from punishments inflicted on them on mere suspicion? Punishments are inflicted on grounds of mere suspicion conveyed by local authorities to the higher authority. This is one of the vagaries of the Director of Public Instruction.

Then, I would like to bring another case which will show that the gearing of the department of education is so loose, is so much wanting in lubrication, that at any time certain wheels do get out of the bevel teeth and work autocratically and independently of the Minister of Education. This is the case of a loyal servant who had served the department for 37 years continuously. He had in his favour the good opinions of the highest authorities of the department and even of some local authorities. On account of certain differences of opinion between him and a certain section of a party, the whole pension of that poor man was taken away and cancelled on the eve of his retirement. This was the second instance which pointedly came to my notice.

The Honourable Mr. B. V. JADHAV: Whom does the honourable member mean?

Mr. G. I. PATEL: Manishankar V. Acharya of Ahmedabad about whom questions had been sent and orders have now been passed: I have heard that his thumb impression has been taken and he has been told that his pension will be given. But the life pension of a poor school master was taken away by the head of the department on the mere suspicion that he was not amenable to the influence of a particular party or a certain head of the department in Ahmedabad. In this case also, Sir, petitions were made to the Minister in charge, but nothing came out of it. Ultimately the grievances were ventilated in local newspapers and copies were submitted to the Minister in charge. Then also he did not rise from his usual slumber: he waited and waited. But ultimately, when questions came before him asking the wherefor and whys of the act of taking away the pension—the depriving of the life-bread in old age when one had to support a very large family—the Honourable Minister took up an attitude of sympathy and perhaps issued a Government Resolution to the effect that his pension should be restored to him. Although the order was issued, nothing was done for several months, and the man remained expecting a reply to his petition. Probably the orders were lying in the office of the Director of Public Instruction or Educational Inspector, N. D. As soon as questions were again asked in this Council and the matter reached the knowledge of the Minister of Education, immediately orders were issued and my latest

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information this week is that a thumb impression has been secured from him by the Educational Inspector of the Northern Division. Still, I do not know when he will get hard payment of his pension, and perhaps the Minister of Education does not yet know this, possibly because he sits at a great distance from the Director of Education or because he is not directly responsible to him.

Mr. H. D. SAHEBA : Was the teacher so illiterate as not to be able to sign ? Why was thumb impression taken ?

Mr. G. I. PATEL : I do not know : that is my information. Perhaps the educational inspector might not have sufficient confidence in him. So, over and above taking his signature, he also took his thumb impression.

Further, I should like to remind the Minister in charge of one more fact. Whenever any taxation bill is forced upon the House, he comes forward with his usual plea "Please grant this taxation as otherwise some expenses of my department will be curtailed and your nation-building departments will suffer". But he does not mind the loopholes in his department through which money is escaping, and he has no opportunity to see the waste. As an example, I wish to bring to the notice of the House the fact that Rs. 1,15,000 were wasted away by the Ahmedabad municipality at one stroke, in order to serve a particular party purpose. But the Honourable Minister has not had the courage to enquire about the matter, nor the Educational Inspector, Northern Division, who was a member of the municipality. At first he was very strong in opposing that grant; unfortunately, I do not know what influence was exercised over him and he fell back at the time of voting, and he did not vote, though he opposed it in the open meeting. When a communication was sent to the Education Department whether there were any instructions given to the Educational Inspector not to vote, and to pass.....

The Honourable the PRESIDENT : What has that to do with the Education Department ? Will the honourable member please explain ? I am unable to follow what the doings of the Ahmedabad municipality have got to do with the Education Department.

Mr. G. I. PATEL : Sir, I am trying to expose the Educational Inspector, Northern Division.

The Honourable the PRESIDENT : The honourable member must show what connection there is between the action of the Ahmedabad municipality and the voting of the municipal members and the budget of the Education Department.

Mr. G. I. PATEL : There is no direct connection, Sir, but I want now to explain that the Educational Inspector in the Northern Division is not mindful of his legitimate duties which are entrusted to him by the department. In that connection, I hope I shall be able to invite the Minister's attention to some of the vagaries of the Educational

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Inspector of the Northern Division just as I exposed some of the vagaries of the Director of Public Instruction.

The Honourable the PRESIDENT: How long is the honourable member likely to take?

Mr. G. I. PATEL: Ten minutes, Sir.

The Honourable the PRESIDENT: The House will now adjourn till 2 p.m. to-morrow, Thursday, the 4th March 1926.

